



**REGULAR MEETING**  
**April 13, 2016**

**B. ANNOUNCEMENT OF CLOSED SESSION ITEM(S)**

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PER GOVERNMENT CODE SECTION 54956.9 (d) (1).

(a) Adelanto Successor Agency et al. v. Walker et al., Sacramento County Superior Court case No. 34-2013-80001498

**C. PUBLIC COMMUNICATIONS ON CLOSED SESSION ITEM(S)**

1.

**D. CONVENE INTO CLOSED SESSION**

TIME: \_\_\_\_\_

1. Motion to go into Closed Session.

M \_\_\_\_\_ S \_\_\_\_\_ ACTION \_\_\_\_\_

**E. CALL TO ORDER – REGULAR MEETING**

TIME IN: \_\_\_\_\_

ROLL CALL:            *Councilor Camargo*            \_\_\_\_\_  
                              *Councilor Glasper*            \_\_\_\_\_  
                              *Councilor Woodard*            \_\_\_\_\_  
                              *Mayor Pro Tem Wright*            \_\_\_\_\_  
                              *Mayor Kerr*

INVOCATION: Christ of the Good Shepherd

FLAG SALUTE: \_\_\_\_\_

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**F. CONFLICT OF INTEREST**

City Council Members will announce any possible Conflicts of Interest for the City Council Meeting.

**G. CONDUCT OF CLOSED SESSION**

1. City Attorney or City Manager will make an oral report on any reportable actions taken in Closed Session.

**H. DELETIONS/ADDITIONS TO AGENDA**

1. City Manager to announce if there is any addition/removal of items from the agenda.

**I. PRESENTATION(S)**

1. Proclamation Recognizing April 2016 as “DMV/Donate Life California Month” in the City of Adelanto.
2. Presentation by American Legion Auxiliary to the City of Adelanto.

**J. PUBLIC COMMUNICATIONS**

Members of the public wishing to address the City Council Members are required to fill out the yellow speaker card and place it in the **SPEAKER CARD TRAY located on the podium**. The Clerk of the meeting will collect the cards and hand them to the Chair. **REMEMBER ONE CARD PER PERSON you can mark the card to address various items on the agenda.**

This is the time and place for members of the public to comment on any matter within the jurisdiction of the City Council. After receiving recognition from the Chair, the speaker will walk to the podium and state their name for the record. There is a time limit of three (3) minutes when giving your presentation.

Members of the audience may address the City Council on non-agenda items; however, in accordance with Government Code Section 54954.2, the City Council may not take action on an item not appearing on the posted agenda.



**REGULAR MEETING**

**April 13, 2016**

12. Approval of Warrant:

- a. Approval of City of Adelanto Warrant, 15/16-10-01, 133709 through 133860, for the total amount of \$1,197,165.22.
- b. Approval of Adelanto Electronic Fund Transfers, 15/16-10-01, 125 through 129, for the total amount of \$164,408.73.

M \_\_\_\_\_ S \_\_\_\_\_ ACTION \_\_\_\_\_

**L. PUBLIC HEARING**

**PUBLIC HEARING OPEN:** \_\_\_\_\_ **PUBLIC HEARING CLOSED:** \_\_\_\_\_

- 1. **PUBLIC HEARING** – ORDINANCE 545, CODE AMENDMENT 16-02 – PROPOSED AMENDMENT TO TITLE 17 OF THE ADELANTO MUNICIPAL CODE AMENDING SECTION 17.80.080 PERTAINING TO MEDICAL MARIJUANA CULTIVATION, AND ADDING SECTION 17.80.090 PERTAINING TO THE RESEARCH DEVELOPMENT AND PROCESSING OF MEDICAL MARIJUANA. CONSISTENCY CHANGES TO THE TABLE OF CONTENTS, APPENDIX A AND OTHER UPDATES WILL BE CONSIDERED. (MARK)

**RECOMMENDATION:** Introduce for the first reading Ordinance 545, finding the approval of Code Amendment 16-01 exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) as the Code Amendment will not have a significant effect on the environment, adopting Code Amendment 16-01, and making findings in support thereof.

ORDINANCE NO. 545

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ADELANTO, CALIFORNIA, AMENDING SECTION 17.80.080 OF THE ADELANTO MUNICIPAL CODE RELATING TO MEDICAL MARIJUANA CULTIVATION AND ADDING SECTION 17.80.090 OF THE ADELANTO MUNICIPAL CODE RELATING TO MEDICAL MARIJUANA RESEARCH, DEVELOPMENT AND PROCESSING.

M \_\_\_\_\_ S \_\_\_\_\_ ACTION \_\_\_\_\_

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**M. ITEMS REMOVED FROM THE CONSENT CALENDAR**

**N. CITY MANAGERS ANNOUNCEMENTS AND/OR REPORTS**

**O. CITY COUNCIL ANNOUNCEMENTS AND/OR REPORT**

**P. ADJOURNMENT**

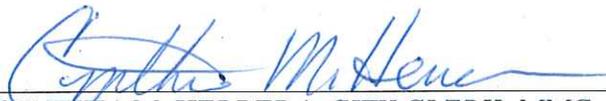
The Regular Meeting of the City Council will be held on April 27, 2016, at 7:00 p.m. unless a Special Meeting is called.

TIME OUT: \_\_\_\_\_

M \_\_\_\_\_ S \_\_\_\_\_ ACTION \_\_\_\_\_

**R. DECLARATION OF POSTING**

**I, CINDY M. HERRERA, CITY CLERK OF THE CITY OF ADELANTO, OR MY DESIGNEE, HEREBY CERTIFY THAT A TRUE, ACCURATE COPY OF THE FOREGOING AGENDA WAS POSTED ON APRIL 21, 2016, SEVENTY TWO (72) HOURS PRIOR TO THE MEETING PER GOVERNMENT CODE 54954.2 IN THE GOVERNMENTAL CENTER'S DISPLAY CASE, 11600 AIR EXPRESSWAY, AND ADELANTO, CALIFORNIA.**

  
CYNTHIA M. HERRERA, CITY CLERK, MMC

## **YOU'RE CITY GOVERNMENT**

**CHARTER CITY:** Ratified by the electors of the City at an election on November 3, 1992. "A Charter City can do what the Charter permits it to do, so long as there is not direct violation of the State Constitution".

**CITY COUNCIL:** The City Council of the legislative and policy-making body of the City. The City Council is composed of one elected Mayor and four Council Members, elected at large (to represent the entire City), to serve four year, staggered terms.

**CITY MANAGER:** The City Manager is the chief executive officer responsible for the administration of City affairs.

**CITY COUNCIL MEETING:** The regular meeting of your City Council is a vital part of the democratic process in the conduct of the City's affairs. These meetings are open to the public and conducted by your elected representatives who are responsible, as a body, for the operation of Adelanto's City Government. The Council appreciates your interest and urges citizen participation in government matters.

### **LEGISLATIVE TERMS**

**ORDINANCES:** Ordinances are the means by which the City enacts its local laws. Unless an urgent situation exists, ordinances will first be presented at a Council meeting as a "first reading". At a subsequent Council meeting, there will be a second reading and adoption. Ordinances go into effect after a waiting period of thirty days, in most cases, during which time the summary of the ordinance is published in a local newspaper approved for this purpose.

**RESOLUTIONS:** Resolutions and minute orders are the means by which the City Council formally adopts policies or approves specific actions. These go into effect when adopted.



**Rich Kerr**  
*Mayor*

**Jermaine Wright Sr.**  
*Mayor Pro-Tem*

**Ed Camargo**  
*Council Member*

**Charley B. Glasper**  
*Council Member*

**John "Bug" Woodard Jr.**  
*Council Member*

**Cynthia M. Herrera, MMC**  
*City Manager*

# MEETING NOTICE

**NOTICE OF A JOINT MEETING OF THE  
CITY OF ADELANTO CITY COUNCIL  
AND ADELANTO PUBLIC FINANCING AUTHORITY  
AND ADELANTO PUBLIC UTILITY AUTHORITY  
AND ADELANTO COMMUNITY BENEFIT CORPORATION  
AND THE SUCCESSOR AGENCY BOARD**

**NOTICE IS HEREBY GIVEN** that the meeting of City Council, Adelanto Public Financing Authority, Adelanto Public Utility Authority, Adelanto Community Benefit Corporation, and the Successor Agency Board of the City of Adelanto will meet in a Joint Meeting at the following time and place.

**TIME**

**Closed Session:** 5:00 P.M.  
**Regular Meeting:** 7:00 P.M.  
Wednesday  
April 13, 2016

**PLACE**

Adelanto Governmental Center  
Adelanto Council Chambers  
11600 Air Expressway  
Adelanto, CA 92301

City Clerk of the City of Adelanto  
and of the City Council thereof

DATED: April 7, 2016



**MINUTES OF THE  
JOINT REGULAR MEETING  
OF THE ADELANTO CITY COUNCIL,  
ADELANTO PUBLIC FINANCING AUTHORITY,  
ADELANTO PUBLIC UTILITY AUTHORITY,  
ADELANTO COMMUNITY BENEFIT CORPORATION,  
AND THE SUCCESSOR AGENCY BOARD**

**AUGUST 26, 2015**

**A. CALL TO ORDER – CLOSED SESSION**

The Adelanto City Council held a Closed Session on Wednesday, January 28, 2015, in Conference Room 1 of the Governmental Center located at 11600 Air Expressway, Adelanto, California. Mayor Kerr called the meeting to order at 5:38 p.m.

Council Members present: Glasper, Woodard, Mayor Pro Tem Wright, and Mayor Kerr.

Council Members absent: Camargo.

Staff present: Interim City Manager Herrera, City Attorney Litfin, and Records Clerk Cervantes.

**MOTION: Moved by Mayor Pro Tem Wright, seconded by Mayor Council Member Glasper to excuse Council Member Camargo.**

**Motion carried 4-0. (Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes). (Camargo noted absent)**

**B. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 SUBDIVISION (d)(2).

THREE CASE(S) WHERE, IN THE OPINION OF THE CITY COUNCIL BASED ON ADVICE OF THE CITY ATTORNEY, BASED ON EXISTING FACTS AND CIRCUMSTANCES, THERE IS A SIGNIFICANT EXPOSURE TO LITIGATION AGAINST THE CITY.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(4) .

ONE CASE(S) WHERE, IN WHICH THE CITY COUNCIL IS DECIDING WHETHER TO INITIATE LITIGATION.

3. CONFERENCE WITH LABOR NEGOTIATORS – GOVERNMENT CODE SECTION 54957.6.

(1) City Designated Representatives: Cynthia M. Herrera, MMC, Interim City Manager

Vanessa Martinez, Interim Finance Director

Employee Organization: Teamsters Local 911 (General Employees)

**C. PUBLIC COMMUNICATION ON CLOSED SESSION ITEMS**

None

**D. CONVENE INTO CLOSED SESSION**

The Chair called for a motion to enter into Closed Session 5:42 p.m.

**MOTION: Moved by Mayor Kerr, seconded by Mayor Pro Tem Wright.**

**Motion carried 4-0. (Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes). (Camargo noted absent)**

**E. CALL TO ORDER – REGULAR MEETING**

Mayor Kerr reconvened the regular meeting at 7:11 p.m.

Council Members present: Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr.

Council Members absent: Camargo

Staff present: Interim City Manager Herrera, City Attorney Litfin, and Records Clerk Cervantes

**CLERK'S NOTE: There was a motion to excuse Council Member Camargo from the Regular Meeting**

Invocation by: Johnny Salazar, Adelanto Citizen

The flag salute was presented by Mayor Kerr.

**F. CONFLICT OF INTEREST**

None

**G. CONDUCT OF CLOSED SESSION**

None

**H. DELETIONS/ADDITIONS TO AGENDA**

City Attorney Litfin state the Council pulled item no. 12 on Consent Calendar and moved it to New Business.

**I. PRESENTATIONS**

Presentation by Mayor Kerr and Interim City Manager Herrera to Captain Phil Brown for his years of service with the City

**J. PUBLIC COMMUNICATIONS**

1. Ed Houston: He wanted the thank Captain Brown and wanted to congratulate the new Captain Herbert. He wishes the Daily Press would start posting positive things about Adelanto. He expressed his feelings about the City's residents.
2. Joy Jeannette: She gave a report on the Adelanto Senior Citizens. She talked about Zumba's success. She wanted to know when the new Resource Center is going to be done.
3. Terry Delgado: He wanted to thank the City Council and said they are doing a good job.
4. Leon Pierce: He complimented the Sheriff's Department on their work. He also expressed how the city does not need any more prisons, but needs more police.
5. Magda Torrellas: She has an issue with animals roaming around the streets. She believes animal control isn't paying attention. She expressed her anger to the tenants she had.

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6. Shad Boyd: He thanked the Fire and Sheriff's Department. He talked about residents who complain about weeds and such should actually go out and take initiative. He also complimented the City Council.
7. Marc O'hara: He just wanted to thank the Council for all their efforts.
8. Nicole: She came to express her problem with the water service. She talked about how she paid for the water bills. She noted she has been living in a motel since the water has been shut off.

The Council noted they will take a look at this issue

9. E.T. Snell: He believes the Council is moving in the right direction. He wanted to mention the homeless children in the Adelanto School District.
10. Mark C. Smith: He expressed his concern of a Council Member being racist. He referenced the Council. His anger is directed to a possible restraining order he might be getting.
11. Johnny Salazar: He came to talk about a possible Swap Meet for the City. He talked about how there is an issue with it. There were also land requirements which can cost up to \$250,000 just to get a swap meet started. He wants the Council's help.

*Council Member Woodard* would like to make a motion do to a variance.

*City Attorney Litfin* explained a variance needs to go through the City which is under State Law. He will look at it further.

*The Director of Public Works Thornton* explained an application was submitted but there are certain requirements that need to be met, if not he can try and get a waiver from the State.

12. Terry Delgado: He made a statement that he did not ask Belen Cordero on a date.

*Mayor Pro Tem Wright* explained that everyone has a right to speak but there needs to be respect for everyone in the chambers.

13. Joy Jeannette: She talked about how the fireworks stand doesn't need all the requirements that a swap meet has.

**K. CONSENT CALENDAR**

**MOTION: Moved by Mayor Pro Tem Wright, seconded by Council Member Woodard to approve the Consent Calendar minus no. 12 and 13.**

1. Motion waiving the full reading of all ordinances and resolutions. Titles for ordinances and resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.
2. Approval of Adelanto Public Utilities Sewer Report.
3. Approval of Adelanto Public Utilities Water Report.
4. Approval of Business License Department Report.
5. Approval of Fire Department Report.
6. Approval of Utility Billing Department Report.
7. Approval of Development Services Department Report.
8. Approval of Engineering Department Report.
9. Approval of Lease with Mavericks pertaining to use of Community Center until August 31, 2015.
10. Approval of Independent Contractor Agreement's CDBG 2015/2016.
11. Approval of Agreement Regarding Cash Out of Lifetime Medical Benefits for Mr. Price.
12. **Approval of proposed permit for use of Adelanto Community Center by Another Level for Women/High Desert Community Foundation. \*\*\* REMOVED FOR DISCUSSION \*\*\***
13. **Approval of Resolution 15-39 Authorizing the Examination of Sales Tax Record. \*\*\* REMOVED FOR DISCUSSION \*\*\***
14. Approval second reading of Ordinance No. 538 entitled:

**ORDINANCE NO. 538**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ADELANTO, CALIFORNIA, AMENDING THE ADELANTO MUNICIPAL CODE, TITLE 14, ADDING CHAPTER 14.38, IMPLEMENTING AB 2188, PROVIDING AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS

15. Approval of Warrant:
- a. Approval of City of Adelanto Warrant, 15/16-02-02, 132829 through 132884, for the total amount of \$580,011.08.
  - b. Approval of Adelanto Electronic Fund Transfers, 15/16-02-02, 80 through 84, for the total amount of \$125,856.07.
  - c. Approval of City of Adelanto Water Authority, 15/16-02-02, 27239 through 27244, for the total amount of \$61,947.13.
  - d. Approval of Adelanto Water Authority Utility Deposit Refunds Warrant, 5/16-02-02 26742 through 26786, for the total amount of \$5,834.68.
  - e. Approval of Adelanto Public Utility Authority Warrant, 15/16-02-02, 3470 through 3474, for the total amount of \$17,901.37

Motion carried 4-0. (Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).  
(Camargo noted absent)

## L. PUBLIC HEARING

1. INTRODUCE ORDINANCE NO. 542 OF THE CITY COUNCIL OF THE CITY OF ADELANTO, CALIFORNIA, AMENDING ORDINANCE 487 AND ADDING SECTION 2.20.080(G) TO THE ADELANTO MUNICIPAL CODE RELATING TO FUNCTIONS OF THE PLANNING COMMISSION

STAFF RECOMMENDATION: No recommendation. Staff provides ordinance for Council's consideration.

### ORDINANCE NO. 542

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ADELANTO, CALIFORNIA, AMENDING ORDINANCE 487 AND ADDING SECTION 2.20.080(G) TO THE ADELANTO MUNICIPAL CODE RELATING TO FUNCTIONS OF THE PLANNING COMMISSION

*Public Works Director Thornton* presented the report. This is an addition to Planning Commission to facilitate Economic Development ideas to the City Council.

**The Chair opened Public Hearing at 8:00 p.m.**

Jeannette Ansu (Resident): She wanted to know how many people on the Planning Commission Board.

The City Council answered Jeannette which is Chris Waggener, Ke'ron Jones, Mark Ferretiz, and Jessie Flores.

Jeannette Ansu (Resident) wanted to know if anyone can come to the Planning Commission Meetings.

Mayor Kerr said they are on the first Tuesday of the month at 7 p.m.

Tyron (Resident): He wants to build condominiums and wants support to place fast food business.

Mayor Kerr will have them set up a meeting.

Chris Waggener (Planning Commission Chair): He is happy they are giving the board more of a challenge. He explains that not a lot of Planning Commission members can come to the meetings because they are out in the community.

Mayor Kerr explained this is direction for the board to allow them to have plans in writing.

Mayor Pro Tem Wright mentioned that they should make efforts for park improvements.

Chris Waggener (Planning Commission Chair): He explained that they never had financials authority. He will now look into this.

Mayor Pro Tem Wright talked about how they have to rent out the School District's Field.

Council Member Glasper mentioned that he wants to see an individual Parks and Recreation Committee.

Council Member Woodard agrees with Council Member Glasper that it should be its individual committee but can be a temporary fix for Planning Commission to take it over.

Jeannette Ansu (Resident): She suggested they add two members to Planning Commission to handle Parks and Rec.

**The Chair closed Public Hearing at 8:13 p.m.**

**MOTION:** Moved by Mayor Kerr, seconded by Mayor Pro Tem Wright approve amending ordinance 542 and adding section 2.20.080(G) to the Adelanto municipal code relating to functions of the planning commission with addition of appointing the Planning Commission to act as the Parks and Recreation Commission.

Motion carried 4-0. (Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes). (Camargo absent)

**M. NEW BUSINESS**

1. APPROVAL OF BIDS FOR STREET/WATER IMPROVEMENTS AT MOJAVE DRIVE AND US HWY 395. (TOM)

**STAFF RECOMMENDATION:** Staff recommends Council authorize an Additional \$447,534 to allow for the increased cost of the project based on recent bids received and authorize the City Attorney to prepare an Addendum to the Agreement.

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*Director of Public Works Thornton* presented the report. The bids were higher than the previous estimated price on the project. The improvements were then reduced to lower extended cost.

*Council Member Glasper* wanted to know the alternative if this was not approved.

*Director of Public Works Thornton* explained that it would not go through because it would be partial improvements which are a safety concern.

*Council Member Woodard* asked if they can reject and bid on it again.

*Director of Public Work Thornton* explained it has been bid on 3 times and if bid on again it can possibly go up in price.

*City Attorney Litfin* suggested they do not bid again because the companies could bid more.

*Council Member Glasper* wanted money to possibly be allocated from SANBAG.

*City Attorney Litfin* explained that this project was excluded from the SANBAG project so it needs to be done.

*Mayor Pro Tem Wright* expressed that the property has not been improved over the years. He wanted to know if they improve the areas, will it just sit there?

*Director of Public Works Thornton* explained that this is unknown. Though, there have been inquiries for this land. By improving the land, it will entice more companies to want to build.

*Mayor Kerr* wanted to know if they approve this project how fast will it take to start.

*Director of Public Works Thornton* explained that they can award the contract and start quickly.

*Council Member Glasper* wanted to know if the excess funds can be put into the Bellflower project.

*Director of Public Works* said they can put in any project for suggestion.

*Council Member Woodard* asked if the improvements will coincide with the new gas station

*Director of Public Works* explained after the improvements are made by putting in a signal, they can then begin the process and building a gas station.

**The Chair opened Public Hearing at 8:33 p.m.**

*Johnny Salazar:* He asked if there will be any guarantee that there will be building in this location. He doesn't want to waste more money

*Mayor Kerr* explained the money has been allocated for a long time. He is aware there are inquiries about the property.

*City Manager Litfin* talked about how this money was allocated since 2008. This improvement has to happen in order for things to be built.

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Ed Houston (Resident): He expresses his frustration that they are improving new Adelanto, not old Adelanto.

*Council Member Glasper* added in that Bellflower needs to be widened for safety concerns.

*Mayor Pro Tem Wright* explained that this money has been allocated for Highway 395 by SANBAG. Cal Trans is not doing the particular section in which the city needs to do it.

Ed Houston added that the street corners that are already done and there is no business.

*Council Member Glasper* explained that those slabs are in Victorville.

Jeannette Ansu (Resident): She suggested that they should bring in things closer to North Adelanto. She wants the Council to ask the State for cameras at street light intersections.

*Mayor Kerr* explained Highway 395 is going to be built no matter what. He is in dilemma that they need an additional amount but it can only be built through this specific section.

*Director of Public Works Thornton* stated he is coming back with a 5 year plan which will include improvements in the North end.

*Mayor Pro Tem Wright* asked Tom if he could look into adding something like that.

*Director of Public Works Thornton* responded to Mayor Pro Tem Wright that he will bring it up to Caltrans.

*Council Member Woodard* asked Tom to talk to Caltrans about finishing El Mirage and get a date that it will be done.

*Mayor Pro Tem Wright* explained that this project is E220 which is involved in that allocated money.

Joy Jeannette (Resident): She expressed her issues living on Crippen and that school children have nowhere to cross and have to dodge traffic. There are trucks that are not allowed to drive down this road yet do it anyway.

*Mayor Pro Tem Wright* asked if *Safe Schools* is involved in that.

Ernesto Marines (Resident): He wants these roads built and get business being brought in. He wants to know if the intersection of Highway 395 and Seneca will get lights put in.

*Director of Public Works* explained they are not looking to put a light but are putting guttering and widening. They still need to find out the status of that funding.

*City Attorney Litfin* said they have the fund; it is just a question of when they can access the funds.

Ernesto Marines emphasized the safety of the children.

Shad Boyd (Resident): He questioned putting an empty patrol car in areas to make people alert of the speeding. He also brought up that Pearmain should be widened. He also said he would volunteer to be a crossing guard for the school children.

**The Chair closed Public Hearing at 9:00 p.m.**

**MOTION:** Moved by Mayor Pro Tem Wright, seconded by Mayor Pro Kerr to approve bids for street/water improvements at Mojave Dr. and US HWY 395.

**Motion carried 4-0. (Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes). (Camargo absent)**

2. PROPOSED AGREEMENT WITH NATIONAL POLICE RODEO ASSOCIATION.  
(TODD)

**STAFF RECOMMENDATION:** No recommendation. Staff requests Council direction on this matter.

*City Attorney Litfin* presented the Staff Report. It will happen on the dates of October 10<sup>th</sup> and 11<sup>th</sup> 2015. This is an agreement to conduct the rodeo at the stadium.

**The Chair opened the meeting for comments at 9:03 p.m.**

*Joy Jeannette (Resident)* asked about security.

*Mayor Kerr* said the Sheriff's Department will be security.

*Joy Jeannette* offered the senior citizen's services.

*Mayor Kerr* said there will be a list for people to sign up and volunteer to help.

**The Chair closed comments at 9:05 p.m.**

**MOTION:** Moved by Mayor Pro Tem Wright, seconded by Council Member Glasper that they approve the proposed agreement with Nation Police Rodeo Association.

**Motion carried 4-0. (Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes). (Camargo absent)**

**M. ITEMS REMOVED FROM THE CONSENT CALENDAR**

**12. APPROVAL OF PROPOSED PERMIT FOR US OF ADELANTO COMMUNITY CENTER BY ANOTHER LEVEL FOR WOMEN/HIGH DESERT COMMUNITY FOUNDATION. \*\*\* REMOVED FOR DISCUSSION \*\*\***

*City Attorney Litfin* explained that a couple organizations wanted to rent the community center facility. It was requested that there be a 10-year lease. He wanted to see if the Council wanted to make a deal that they are able to break their lease.

*Mayor Pro Tem Wright* agreed there being an out. He suggested a 5 year option.

*Council Member Woodard* thinks 5 years is a long time and suggested 3 years. Overall, he is onboard.

*Mayor Pro Tem Wright* talked about how the Community Center needs funds in order to repair the building.

*Mayor Kerr* explained the rent would be cheaper due to these organizations being a non-profit.

**The Chair opened Public Hearing at 9:10 p.m.**

No Public Comment

**The Chair closed Public Hearing at 9:11 p.m.**

MOTION: Moved by Mayor Pro Tem Wright, seconded by Council Member Woodard to approval of the permit for US of Adelanto Community Center by another level for women/High Desert Community Foundation for a total of 5 years with a 45 day out on either side.

Motion carried 4-0. (Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes). (Camargo absent)

**13. Approval of Resolution 15-39 Authorizing the Examination of Sales Tax Record. \*\*\* REMOVED FOR DISCUSSION \*\*\***

*Mayor Pro Tem Wright* wanted explanation on this Resolution

*City Attorney Litfin* presented the report. This authorizes the State Board of Equalization to look into POS. This also authorizes The Finance and Administration department of San Bernardino County to look at reports.

**The Chair opened Public Hearing at 9:13 p.m.**

No Public Comment

**The Chair closed Public Hearing at 9:14 p.m.**

MOTION: Moved by Mayor Pro Tem Wright, seconded by Council Member Glasper to approve resolution 15-39 as presented.

Motion carried 4-0. (Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes). (Camargo absent)

**N. CITY MANAGERS ANNOUNCEMENTS AND/OR REPORTS**

Interim City Manager announced there will be a free Dump Day on September 25, 2015 at 8 a.m. to 1 p.m.

## P. CITY COUNCILS ANNOUNCEMENTS AND/OR REPORTS

Council Member Woodard brought up building new signs for the entrance of Adelanto.

Council Member Glasper wanted to complement the Mayor on the job he is doing. He wanted to thank the public for coming out and support the council. This is to benefit the City as a whole. He explained that individual contractors were not required to put in road improvements. This is when CFD funds come in. He explained the North side does need improvement. He just wants the City to work with them.

Mayor Pro Tem Wright answered that there are Measure I funds allocated for these signs. It will not come out from the general fund. He brought up meeting with Belen and Council Member Woodard to look into street lights. There was an agreement to buy the lights in Adelanto. He discovered those funds would not have to come out of the general fund and Measure I fund would cover that. He believes LED lights are the best alternative. He explained they can adjust the lighting this way. This is saving \$185K a year out of the general fund. He also attended the SANBAG meeting and made some corrections with regard to HWY 395 and Air Expressway. He is for the E22 which will cause more people to flow through Adelanto. He also brought up the public being respectful in the chambers.

Mayor Kerr notified the public that 2600 emails have been sent out to the residents. If they have not received an email they can sign up to receive city information. He brought up that the signs will be in the city. He will be open to people to come up and saying things that they have issue with. He wants the city to grow and he will do so.

## Q. ADJOURNMENT

The next Regular Meeting of the City Council will be held on September 9, 2015, at 7:00 p.m. unless a Special Meeting is called.

There being no further business the Chair entertained a motion to adjourn the meeting at 9:36 p.m.

**MOTION: Moved by Glasper, seconded by Mayor Pro Tem Wright.**

**Motion carried 4-0. (Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).  
(Camargo noted absent)**

\_\_\_\_\_  
Cindy Herrera, City Clerk, MMC

\_\_\_\_\_  
Rich Kerr, Mayor

Clerk of the Meeting: Brenda Lopez, Deputy City Clerk  
Prepared by: Jordyn Thomas, Intern  
Reviewed by: Cindy Herrera, City Clerk



**MINUTES OF THE  
JOINT REGULAR MEETING  
OF THE ADELANTO CITY COUNCIL,  
ADELANTO PUBLIC FINANCING AUTHORITY,  
ADELANTO PUBLIC UTILITY AUTHORITY,  
ADELANTO COMMUNITY BENEFIT CORPORATION,  
AND THE SUCCESSOR AGENCY BOARD**

**SEPTEMBER 9, 2015**

**A. CALL TO ORDER – CLOSED SESSION**

The Adelanto City Council held a Closed Session on Wednesday, September 9, 2015, in Conference Room 1 of the Governmental Center located at 11600 Air Expressway, Adelanto, California. Mayor Kerr called the meeting to order at 5:34 p.m.

Council Members present: Camargo, Glasper, Woodard, Mayor Pro Tem Wright, and Mayor Kerr

Staff present: Interim City Manager Herrera, City Attorney Litfin, and Assistant City Clerk Lopez.

**B. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 SUBDIVISION (d)(2).

FOUR CASE(S) WHERE, IN THE OPINION OF THE CITY COUNCIL BASED ON ADVICE OF THE CITY ATTORNEY, BASED ON EXISTING FACTS AND CIRCUMSTANCES, THERE IS A SIGNIFICANT EXPOSURE TO LITIGATION AGAINST THE CITY.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(4) .

TWO CASE(S) WHERE, IN WHICH THE CITY COUNCIL IS DECIDING WHETHER TO INITIATE LITIGATION.

3. CONFERENCE WITH LABOR NEGOTIATORS – GOVERNMENT CODE SECTION 54957.6.

(1) City Designated Representatives: Cynthia M. Herrera, MMC, Interim City Manager

Vanessa Martinez, Interim Finance Director

Employee Organization:

Teamsters Local 911 (General Employees)

**C. PUBLIC COMMUNICATION ON CLOSED SESSION ITEMS**

David Fluhert: He appreciates the decision the Council needs to make concerning medical marijuana.

**D. CONVENE INTO CLOSED SESSION**

The Chair called for a motion to enter into Closed Session 5:43 p.m.

**MOTION: Moved by Woodard, seconded by Mayor Kerr.**

**Motion carried unanimously 5-0 (Camargo, Glasper, Woodard, Wright, Mayor Kerr voting yes).**

**E. CALL TO ORDER – REGULAR MEETING**

Mayor Kerr reconvened the regular meeting at 7:12 p.m.

Council Members present: Camargo, Glasper, Woodard, Wright, and Mayor Kerr

Staff present: City Manager Hart, City Attorney Litfin, and Assistant City

Invocation by: Pastor Blevins

The flag salute was presented by Mayor Kerr.

**F. CONFLICT OF INTEREST**

None.

**G. CONDUCT OF CLOSED SESSION**

City Attorney Litfin stated the Council discussed Agenda item no. 1 which was anticipated litigation.

**H. DELETIONS/ADDITIONS TO AGENDA**

None

**I. PRESENTATIONS**

None

## J. PUBLIC COMMUNICATIONS

1. Magda Torrelles: She talked about evicting her tenants. She wished there was a better law enforcement in Adelanto. She had concern with the taxes and if they go up she will have to sell her property.
2. E.T. Snell: He is a community activist that speaks throughout the High Desert. He brought up the issue with the 122 homeless children in the Adelanto School District. He brought up Mayor Pro Tem Wright and questioned his true intentions.

*Mayor Kerr* asked if he could be a part of the Rodeo.

3. Nicole Epley: She came to talk about her water issue. The house was red tagged. She expressed her concerns with her family and has a child who has medical issues.

*Mayor Pro Tem Wright* explained she is living in the home illegally.

4. Joanna Canofax: She explained on August 10, 2015 she came to pay her water bill and the City would not accept it because it was a few days late. She had to pay to turn it back on and believes the fee is excessive. She also said she is available on weekends to help clean up properties.
5. Felix Ortiz: He talked about the trouble with drugs in his neighborhood. He wanted to talk about the need for more Law Enforcement. He believes it has gotten so bad that his family will be moving out of Adelanto.
6. Shad Boyd: He said the homeless are causing problems with the City with regards to harassing the residents at stores and in parking lots. He feels the Law Enforcement needs to focus on that.
7. Joy Jeannette: She said they have 30 volunteers for the Rodeo. She talked about Senior Citizens Club want to help out with a Call Center. She noticed that in the Stater Bros. parking lot has a lot of vagrants. She expressed her concern for the trash in the parking lots. She wanted to see what can happen to get events such as a farmer's market going.

*Council Member Woodard* is in agreement to see events happening.

8. Johnny Salazar: He is glad to see movement forward with regards to medical marijuana. He was disappointed with the Planning Commission. He wants medicine to come to the High Desert. He brought up the possibility of a Swap Meet. He wants to see SoCal Edison replaced. He had a cancer scare last month and called everyone on the council and thanked everyone who returned his calls.

**K. CONSENT CALENDAR**

**MOTION: Moved by Mayor Pro Tem Wright, seconded by Glasper to approve the Consent Calendar as presented.**

1. Motion waiving the full reading of all ordinances and resolutions. Titles for ordinances and resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.
2. Approval of Meeting Minutes: November 19, 2014 – Adjourned Regular Meeting  
December 10, 2014 – Special Meeting  
December 10, 2014 – Regular Meeting  
January 14, 2015 – Regular Meeting  
February 11, 2015 Regular Meeting
3. Approval of Animal Care and Control Department Report.
4. Approval of Development Services Department Report.
5. Approval of Building and Safety Department Report.
6. Approval of Public Works Department Report.
7. Approval of Code Compliance Department Report.
8. Approval of Request for Assignment of Carryover Right in Lieu of Payment of Replacement Water Assessments for the Water year ending September 30, 2015.
9. Approval of second reading of Ordinance No. 542 entitled:

**ORDINANCE NO. 542**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
ADELANTO, CALIFORNIA, ADDING SECTIONS 2.20.080(G) AND  
(H) TO THE ADELANTO MUNICIPAL CODE RELATING TO  
FUNCTIONS OF THE PLANNING COMMISSION**

10. Approval of Warrant:

- a. Approval of City of Adelanto Warrant, 15/16-03-01, 132885 through 132927, for the total amount of \$260,146.93.
- b. Approval of City of Adelanto Water Authority, 5/16-03-01, 27245 through 27252, for the total amount of \$123,102.19.
- c. Approval of Adelanto Water Authority Utility Deposit Refunds Warrant, 5/16-03-01, 26742 through 26786, for the total amount of \$5,834.68.
- d. Approval of Adelanto Public Utility Authority Warrant, 5/16-03-01, 3475 through 3485, for the total amount of \$66,683.90.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Wright, Mayor Kerr voting yes)

## L. NEW BUSINESS

### 1. DISCUSSION PERTAINING TO POWER PURCHASE AGREEMENT WITH NATIVE SUN POWER

RECOMMENDATION: For APUA Board/City Council consideration.

*City Attorney Litfin* presented the report. This purchase would eventually save money through the virtual water meters. Under the current agreement, a plant was supposed to be built by November of last year. The company is asking to go forward with this agreement with minor changes. The changes would be extension of time to building the plant, a set amount of energy the APUA can commit to purchasing, and a price for the right of way to run wires from the proposed land to the City Public Works yard. This is a discussion for direction.

*Council Member Camargo* he wanted to know the dollar amount for the wire running.

*City Attorney Litfin* explained it would be a payment to the city around \$100,000.00. This is to eventually have cheaper electricity.

*Council Member Woodard* asked if they can move now or get permission from Edison.

*City Attorney Litfin* explained they need permission from Edison so it could take a few months.

*Mayor Pro Tem Wright* he wanted clarification of where it would be located and asked why they have not moved forward yet if they have had it.

*City Attorney Litfin* He explained it is by the old Racetown property. He talked about the City waiting for an Audit last year but does not know why the process hasn't gone forward.

*Council Member Glasper* asked if they will be getting energy from another source.

*City Attorney Litfin* explained we will be obtaining solar power.

*Mayor Pro Tem Wright* asked how long they will have to purchase energy from Native Sun Power.

*City Attorney Litfin* believes it is a 20 year agreement.

There was further discussion on the length of the agreement.

*Mayor Kerr* asked if there is anything that will stop building in this area.

*Engineering Technician Coapstick* explained that this will be built no matter what.

**The Chair opened Public Hearing at 8:01 p.m.**

1. *Shad Boyd*: He asked if it would be possible for the City to have their own solar and sell to the citizens.

*Mayor Kerr* said it will be brought back in two weeks.

*City Attorney Litfin* explained it is expensive to build but Adelanto is a prime candidate for Solar.

2. *Jeannette Ansu*: She wanted clarification on if the company is selling the electricity to Adelanto or all other cities in the High Desert

*City Attorney Litfin* explained this agreement is strictly for Adelanto

3. *Reginald Parker*: Native Sun signed a contract with 510 Nano in June where they have 60% ownership of the project. His is a representative of that company financing it.

*Council Member Woodard* asked how long it would take to start

*Reginald Parker* believes January 14.

*Mayor Pro Tem Wright* asked if they can build the plant without purchasing the agreement.

*Reginald Parker* explained that they will wait until it is negotiated..

4. *Joy Jeannette*: She asked if it costs for an upstart and if they own the land.

*Reginald Parker* explained the cost for the building would be \$10,000,000.00 and they lease the land.

The council discussed the roads and would discuss at a further time.

5. Magda Torrelles: She talked about the VA Hospital and asked if the price will keep going up throughout the years.

*City Attorney Litfin* explained it can only go up 2% a year.

*Mayor Kerr* commented that they will work the kinks out.

6. Jeanette Ansu: She asked if Adelanto will be the only be the one to use the energy.

*City Attorney Litfin* explained it will be decommissioned after the 20 years.

**The Chair closed Public Hearing at 8:24 p.m.**

*Mayor Kerr* gave direction to speak to Native Sun Solar.

**M. CITY MANAGERS ANNOUNCEMENTS AND/OR REPORTS**

None

**N. CITY COUNCILS ANNOUNCEMENTS AND/OR REPORTS**

Council Member Camargo talked about his Air Quality Meeting having no reportable action. He also brought up the Chamberlain/Bellflower property having a lot of trash. He thanked the staff for the hard work they have been doing.

Council Member Woodard wanted to remind everyone about Clean-up Day on September 26, 2015 as well as the Rodeo on October 10-11, 2015.

Council Member Glasper talked about the lack of Law Enforcement in Adelanto. He explained what CALPERS are and that it is less expensive in the long run to have the County take care of it. This is why the City uses the County Sheriff's Department.

Mayor Pro Tem Wright talked about the homeless children. He commended E.T. Snell for his concern with them. He explained that the homeless children are not in Adelanto alone. He then brought up his success with losing 21 lbs. in the weight loss challenge. On October 28<sup>th</sup> and 29<sup>th</sup> there will be a Trunk or Treat for the foster children. He commended the Council and the Sherriff's Department for their efforts.

Mayor Kerr announced that Adelanto has diligently been working on the reduction on water. He also talked about the Rodeo and Centennial event. He appreciated the regular attendees and recommended more people to come. He also mentioned having two new businesses coming to the city.

**P. ADJOURNMENT**

The next Regular Meeting of the City Council will be held on September 23, 2015, at 7:00 p.m. unless a Special Meeting is called.

There being no further business the Chair entertained a motion to adjourn the meeting at 8:48 p.m.

**MOTION: Moved by Mayor Kerr, seconded by Mayor Pro Tem Wright.**

**Motion carried unanimously 5-0 (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes.)**

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Rich Kerr, Mayor

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Cindy Herrera, City Clerk, MMC

Clerk of the Meeting: Brenda Lopez, Deputy City Clerk  
Prepared by: Jordyn Thomas, Intern  
Reviewed by: Cindy Herrera, City Clerk



**MINUTES OF THE  
JOINT REGULAR ADJOURNED MEETING OF THE  
ADELANTO CITY COUNCIL,  
ADELANTO PUBLIC UTILITY AUTHORITY,  
ADELANTO COMMUNITY BENEFIT CORPORATION,  
AND THE SUCCESSOR AGENCY BOARD**

**SEPTEMBER 23, 2015**

**A. CALL TO ORDER – CLOSED SESSION**

The Adelanto City Council held a Closed Session on Wednesday, September 23, 2015, in Conference Room 1 of the Governmental Center located at 11600 Air Expressway, Adelanto, California. Mayor Kerr called the meeting to order at 5:35 p.m.

Council Members present: Camargo, Glasper, Woodard, Mayor Pro Tem Wright and Mayor Kerr.

Staff present: Interim City Manager Herrera, City Attorney Litfin, and City Clerk Herrera.

**B. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 SUBDIVISION (d)(2).

FOUR CASE(S) WHERE, IN THE OPINION OF THE CITY COUNCIL BASED ON ADVICE OF THE CITY ATTORNEY, BASED ON EXISTING FACTS AND CIRCUMSTANCES, THERE IS A SIGNIFICANT EXPOSURE TO LITIGATION AGAINST THE CITY.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(4) .

TWO CASE(S) WHERE, IN WHICH THE CITY COUNCIL IS DECIDING WHETHER TO INITIATE LITIGATION.

3. CONFERENCE WITH LABOR NEGOTIATORS – GOVERNMENT CODE SECTION 54957.6.

City Designated Representatives: Cynthia M. Herrera, MMC, Interim City Manager  
Vanessa Martinez, Interim Finance Director

Employee Organization: Teamsters Local 911 (General Employees)

**C. PUBLIC COMMUNICATION ON CLOSED SESSION ITEM(S)**

None

**D. CONVENE INTO CLOSED SESSION**

The Chair called for a motion to enter into Closed Session 5:37 p.m.

**MOTION: Moved by Mayor Pro Tem Wright, seconded by Woodard.**

**Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, and Mayor Kerr voting yes).**

**E. CALL TO ORDER – REGULAR MEETING**

Mayor Kerr reconvened the regular meeting at 7:15 p.m.

Council Members present: Camargo, Glasper, Woodard, Mayor Pro Tem Wright, and Mayor Kerr.

Staff present: Interim City Manager Herrera, City Attorney Litfin, and ant City Clerk Lopez

Invocation by: Dave Blevins of Calvary Chapel.

The pledge of allegiance was led by Mayor Kerr.

**F. CONFLICT OF INTEREST**

None

**G. CONDUCT OF CLOSED SESSION**

City Attorney Litfin stated that there was no reportable action.

**H. DELETIONS/ADDITIONS TO AGENDA**

Interim City Manager Herrera commented that Item 6 will be moved to a later date.

## I. PRESENTATIONS

1. Presentation by Doctor Crants and Buck Johns regarding vote by LA County Board of Supervisors regarding the Prison Project.

*Council Member Woodard* wanted to thank Doctor Crants for all the hard work he has put into trying to make this successful. He does not want him to give up on this idea.

2. Presentation by Freddy Sayegh of High Desert Laboratories. Re: The Miracles of Cannabinoid Development.

*Freddy Sayegh* presented a video of late 1960's propaganda of government not allowing marijuana. There was also a story of a child in the video who had seizures and the benefits of medical marijuana.

*Mr. Mills* explained about his adopted daughter and her seizures. She was born without a portion of her brain. She uses medical marijuana and the amount of seizures has decreased.

## J. PUBLIC COMMUNICATIONS

1. *Shad Boyd*: He talked about the law enforcement and the people squatting in the vacant houses.
2. *Joy Jeannette*: She mentioned going to the Lumina Homes Open house and the Healthy High Desert Summit. They were notified at the Mojave River Project is funded. She brought up the possibility of a dog park and also mentioned the Swap Meet and Farmer's Market Plan. She also talked about wanting a bike and walking path.
3. *Ed Huston*: He stated that they have enough jails and need new businesses and new housing. He does not want another prison in the City.
4. *Misty Kerr*: She wanted to say even for all the negative publicity they have they stand united. She thanked them for consideration of the research and cultivation. She encouraged approval for medical purposes.
5. *E.T. Snell*: He does not support the condo style homes. He is concerned about El Nino. He is concerned about 122 homeless children in the Adelanto School District.
6. *Maggie Torrelles*: She talked about the officer next door program. She complained about how hard it is to evict tenants who have destroyed the properties. She thanked Adelanto for all the help she is receiving.

#### K. CONSENT CALENDAR

**MOTION: Moved by Camargo, seconded by Mayor Pro Tem Wright to approve the Consent Calendar Minus item No. 6.**

1. Motion waiving the full reading of all ordinances and resolutions. Titles for ordinances and resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.
2. Approval of Adelanto Public Utilities Sewer Report.
3. Approval of Adelanto Public Utilities Water Report.
4. Approval of Fire Department Report.
5. Approval of Engineering Department Report.
- 6. Approval of Job Classifications, Salary Ranges, New Positions and Appropriation of Funds. \*\*\* REMOVED TO LATER MEETING \*\*\***
7. Approval of Utility Billing Dept. Report July & August.
8. Approval of Warrant:
  - a. Approval of City of Adelanto Warrant, 15/16-03-02, 132928 through 132982, for the total amount of \$1,120,246.82.
  - b. Approval of City of Adelanto Warrant, Electronic Fund Transfers, 15/16-03-02, 85 through 88, for the total amount of \$259.00.
  - c. Approval of City of Adelanto Water Authority, 5/16-03-02, 27253 through 27258, for the total amount of \$11,125.48.
  - d. Approval of Adelanto Water Authority Utility Deposit Refunds Warrant, 5/16-03-02, 26819 through 26845, for the total amount of \$4,721.65.
  - e. Approval of Adelanto Public Utility Authority Warrant, 5/16-03-02, 3486 through 3491, for the total amount of \$18,232.33.

**Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, and Mayor Kerr voting yes).**

## L. CONSENT CALENDAR OF THE SUCCESSOR AGENCY BOARD

1. APPROVAL OF WARRANT:
  - a. Approval of The Successor Agency Board Warrant, 15/16-03-02, 7924 through 7924, for the total amount of \$355.60.

**MOTION:** Moved by Woodard, seconded by Mayor Pro Tem Wright.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, and Mayor Kerr voting yes).

## M. PUBLIC HEARING

**CLERK'S NOTE:** Council took a break at 9:40 p.m.  
Council reconvened at 10:00 p.m.

1. 1ST READING – PUBLIC HEARING: ORDINANCE NO. 539, CODE AMENDMENT 15-02 – PROPOSED AMENDMENT TO TITLE 17 OF THE ADELANTO MUNICIPAL CODE ADDING SECTION 17.80.080, AMENDING THE TABLE OF CONTENTS, AND APPENDIX A PERTAINING TO MEDICAL MARIJUANA CULTIVATION AND RESEARCH

**STAFF RECOMMENDATION:** Introduce for the first reading Ordinance No. 539, finding the approval of Code Amendment 15-02 exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) as the Code Amendment will not have a significant effect on the environment, adopting Code Amendment 15-02, and making findings in support thereof.

Senior Planner Mark de Manincor presented the staff report. He stated that he has made all of the changes that were recommended.

City Attorney Litfin stated that they would have to comply with state law. He also mentioned that the Parks and Recreation clause was taken out.

Mayor Pro Tem Wright talked about the term research should be removed. He believes the two representatives from law enforcement cannot happen. In Ordinance 17.80.080, he stated they have to omit A, C, D, and E.

**The Chair opened Public Hearing at 10:10 p.m.**

1. Kevin Acebo: He is Public Policy Consultant that helps in the marijuana industry. He commended the ordinances merit. He believes that the licensed companies should at least be operating for at least 3 years. He went on to explain who he represents.
2. Marc Ohara: He talked about the bold leadership in Adelanto. He assures if his clients are considered that is what they will bring.

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3. E.T. Snell: He is a drug and alcohol counselor. He would like to keep it in Adelanto. He discussed his background. He then thanked Johnny Salazar.
4. Walter Grieves: He believes there are inaccuracies in the story that was watched earlier. He explained that FDA has granted studies for seizures. He emphasized that street deals are the only crimes related to marijuana.
5. Joy Jeannette: The word research is vital is vital for this item. The City of hope has been contacting her. She went on to give statistics about antibiotics. She explained that she has had to get marijuana for her son when he was gravely ill.
6. Jonathan Mills: He talked about his daughter and the seizures and how it has affected his life.
7. Shad Boyd: He thanked them for their consideration.
8. Todd Borl: They explained how it is drug prevention week. He stated that there have been studies that show marijuana is linked to crime.
9. Jeannette Ansu: She feels that research needs to be put in the language. She asked what the square footage would be and wants it to be in an area.

*Mayor Pro Tem Wright* stated that they have requirements and the City needs to abide by them.

*Council Member Woodard* asked about the research with regards to grants.

Freddy Sayegh He wanted to clarify that if we deny putting the word research in this ordinance that we cannot do so within the city.

Partner of Freddy Sayegh stated if you remove the ability to extract the CDB it would restrict medical application of the plant.

*Mayor Pro Tem Wright* stated that if they get the correct licenses which the City already has they can move on. This is research permit for laboratories and then need to obtain a cultivation license.

There was further discussion between one of the applicants and the council with regards to legality within the State Law and City Law.

*Mayor Pro Tem Wright* wanted to emphasize the differences between the state and Federal Law. The state has yet to grant a possibility of grants for extraction.

*City Attorney Litfin* explained it can be done through federal law, just not state law.

*Mayor Pro Tem Wright* talked about the license becoming legal under State Law if the Governor approves it. He does not want to approve an ordinance that is ahead of what is already approved. He has pushed the idea of research and cultivation. He does not want to push something that will set the City up for a downfall.

*City Attorney Litfin* clarified that the Ordinance states the applicant can obtain a permit to cultivate and extract.

Jerry Davis explained that permits can be issued if the law passes it and they would be good to go in January 2017. He just does not want the possibility of extraction to be taken away.

**The Chair closed Public Hearing at 11:07 p.m.**

*Council Member Camargo* stated that he will stand behind what he has always said. If he needs medicine he would go down the hill. He does not know why they want to come to this City and open them here. He does not approve.

*Council Member Woodard* talked about her daughter with Epilepsy and is happy to say she has mainly grown out of it. He emphasized that she still has medical issues and the pharmaceutical drugs are too intense and thinks she can benefit from marijuana.

*Council Member Glasper* said when he first heard about this he was against it. He has read and listened to everyone. He gave some Federal statistics. Council Member Glasper emphasized that other States have had no issues with Government. He thanked people with their personal stories in order to help the council make their decision. He stated he has made a radical change.

*Mayor Pro Tem Wright* asked Senior Planner about the manufacturing being in the industrial park. Also he wanted to know if the industrial park is near any parks.

*Senior Planner Mark De Manincor* talked about how they have to have manufacturing in an industrial park. He also explained it is not near a school. He had questions about the Oversight Board.

*Mayor Pro Tem Wright* explained they have to reorganize the Oversight Board.

*Senior Mark De Manincor* said there will be 1 Code Enforcement Officer, 1 Planning Commissioner and 3 at large.

*Mayor Pro Tem Wright* quoted items from the bible. He stated liquor stores on every corner and children have easy access. He wants to make sure they do not go near the schools and make sure changes are made to the Ordinance. He wants to keep the City legal. He wanted to add the same restriction to distance for register sex offenders which is ½ mile away from school, daycares, and where children congregate.

**MOTION: Moved by Glasper, seconded by Woodard amend and omit A, C, D, and E in section B1, restrict distance to ½ mile, comply to State Law, remove the Parks and Recreation clause, changes to the Oversight Board, and remove the word research.**

**Motion carried 4-1. (Glasper, Woodard, Mayor Pro Tem Wright, and Mayor Kerr voting yes). (Camargo voting no.)**

2. 1ST READING – PUBLIC HEARING: ORDINANCE NO. 540, CODE AMENDMENT 15-03 – PROPOSED AMENDMENT TO TITLE 17 OF THE ADELANTO MUNICIPAL CODE ADDING SECTION 17.80.050, THE TABLE OF CONTENTS, AND APPENDIX A PERTAINING TO MEDICAL MARIJUANA DISPENSARIES

STAFF RECOMMENDATION: Uphold the Planning Commission recommendation of denial of the project and deny the first reading of Ordinance 540.

Or

Introduce for the first reading Ordinance No. 540, finding the approval of Code Amendment 15-03 exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) as the Code Amendment will not have a significant effect on the environment, adopting Code Amendment 15-03, and making findings in support thereof.

*Senior Planner Mark de Manincor* presented the report. It was denied by Planning Commission due to it being illegal and wanted drug free schools. If approved, it is recommended that Item Q which would allow a 6 month trial be changed to 12 months. The other recommendation would be 100% of profit goes to Park and Recreation.

*Council Member Camargo* does not want these dispensaries near schools.

*Council Member Woodard* would like to see it in commercial areas.

*Council Member Glasper* feels that it should be in industrial areas.

There was further discussion on the specified location of these dispensaries.

**The Chair opened Public Hearing at 11:55 p.m.**

1. Debra Jones: She is not for medical marijuana. She believes it will cause more crime in Adelanto. She gave statistics from Health Companies. She also mentioned the video presented was not showing the negative aspects of medical marijuana.
2. Jeannette Ansu: She believes that dispensaries should not be in Adelanto. She is for research. She gave many suggestions of other ways of getting their medication.
3. Joy Jeannette: Dispensaries are needed and they need to be in the industrial park. She also believes they should not be illegal, but make sure Adelanto is doing it correctly.

*Mayor Pro Tem Wright* explained that the State is allowing cities to put dispensaries in. It is just where to put them that they have a problem with.

*Council Member Glasper* discussed that they are trying to place these dispensaries and market for adults only.

**The Chair closed Public Hearing at 12:22 p.m.**

*Mayor Pro Tem Wright* had some suggestions to amend the Ordinance. In Section 2E he would like it to move to 1½ mile from public, School Districts, Church or residencies. He also suggested that no two dispensaries are more than 2 miles away from each other. In Section H, that there be no more than 2 facilities in the City. In Section M20 the revenue for the Park and Recreation fund would be out, as well as the Oversight Board changes previously explained. In section M13, there would be a fine if a minor is brought into a dispensary for up to 6 months in prison or a \$1000.00 fine. In Section M10, only a green cross logo. On Section M5, he wanted to make sure during an appeal period; they cannot continue to move forward until the appeal is done.

**MOTION: Moved by Glasper, seconded by Woodard to approve the first reading of Ordinance 540 as amended.**

**Substitution motion by Camargo to uphold the Planning Commission recommendation of denial of the project and deny the first reading of Ordinance 540.**

**Motion fails for lack of a second.**

**Reverts to first motion.**

**Motion failed 2-3. (Glasper, and Woodard voting yes). (Camargo, Mayor Pro Tem Wright, and Mayor Kerr voting no.)**

## **N. NEW BUSINESS**

1. RESOLUTION NO. 15-43 AND 15-44 – APPROVING THE PRELIMINARY OFFICIAL STATEMENT IN CONJUNCTION WITH THE ISSUANCE OF ITS IMPROVEMENT AREA NO. 1 OF CITY OF ADELANTO COMMUNITY FACILITIES DISTRICT NO. 2006-2 (MANZANITA AND ESPINOSA) 2015 SPECIAL TAX BONDS (TAXABLE) AND APPROVING THE PRELIMINARY OFFICIAL STATEMENT IN CONJUNCTION WITH THE ISSUANCE OF ITS IMPROVEMENT AREA NO. 2 OF CITY OF ADELANTO COMMUNITY FACILITIES DISTRICT NO. 2006-2 (MANZANITA AND ESPINOSA) 2015 SPECIAL TAX BONDS, SERIES A (TAX-EXEMPT) AND ITS IMPROVEMENT AREA NO. 2 OF CITY OF ADELANTO COMMUNITY FACILITIES DISTRICT NO. 2006-2 (MANZANITA AND ESPINOSA) 2015 SPECIAL TAX BONDS, SERIES B (TAXABLE). (Larry Jarvis)

**STAFF RECOMMENDATION:** That the City Council adopt Resolution No. 15-43 and 15-44 as follows:

RESOLUTION NO. 15-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ADELANTO, ACTING AS THE LEGISLATIVE BODY OF CITY OF ADELANTO COMMUNITY FACILITIES DISTRICT NO. 2006-2 (MANZANITA AND ESPINOSA), AUTHORIZING THE PREPARATION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE OF ITS IMPROVEMENT AREA NO. 1 OF THE CITY OF ADELANTO COMMUNITY FACILITIES DISTRICT NO. 2006-2 (MANZANITA AND ESPINOSA) 2015 SPECIAL TAX BONDS (TAXABLE) AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

AND

RESOLUTION NO. 15-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ADELANTO, ACTING AS THE LEGISLATIVE BODY OF CITY OF ADELANTO COMMUNITY FACILITIES DISTRICT NO. 2006-2 (MANZANITA AND ESPINOSA), AUTHORIZING THE PREPARATION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE OF ITS IMPROVEMENT AREA NO. 2 OF THE CITY OF ADELANTO COMMUNITY FACILITIES DISTRICT NO. 2006-2 (MANZANITA AND ESPINOSA) 2015 SPECIAL TAX BONDS, SERIES A (TAX-EXEMPT) AND 2015 SPECIAL TAX BONDS, SERIES B (TAXABLE) AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

Assistant Director of Finance Vanessa Martinez presented the staff report. She explained how some items were approved.

**The Chair opened Public Hearing at 8:39 p.m.**

1. Stan Smith: He explained that they are nice homes and are still affordable. The tax will put him in a financial bind. He is in disagreement with that tax.
2. Bernard Mitchell: He said when he purchased his home he was never told about this tax. He moved because he saw potential. He wanted to move here for his kids. He is on fixed income. This past July the Escrow account was messed up by D.R. Horton.
3. Pablo Ureno: He felt that is was unfair and does not know where the extra taxes are coming from. He wants to know why they are charging by the bonds.
4. Lorena Hayne: She lives in the Manzanita neighborhood. She opposed they tax. D.R. Horton deceived the residents. She feels that many residents will live with uncertainty.

5. James Brookes: He showed the special tax forms that people signed. He and his wife signed on two different dates. He feels that they were tricked into this. He stated that they don't know what the taxes are for because they cannot see it.
6. Edie Corbett: The letters stated that they were informed when they signed their contract. D.R. Horton had not told them that there was tax on their property.
7. Ernesto Marines: He spoke about two CFD's, He stated that the way they sold them the homes they were deceitful. He went on to say how council does not listen. He then went on to speak about the police not helping him.

*City Attorney Litfin* explained that the CFD was authorized in the 2007 Election. Since the City was not doing well they did not impose it at the time due to the economy. They created bonds to pay for the infrastructure that has been put in. This will allow the property to be sold at a lower initial price. The separate CFD is for the Police and Fire Department. It can be changed in future years with regards to the Police and Fire Department CFD. It has already been approved and cannot be changed.

*Council Member Glasper* explained how the developers and the City did not charge the fees originally in 2007. He explained how the bonds worked and why they need to do what they need to do tonight.

*Council Member Camargo* he said he can assure the residents that it was handled properly. He wanted further clarification because it was stated that parks and lights would be put in.

*City Attorney Litfin* stated that this is a potential project.

*Council Member Camargo* had several questioning regarding the CFD.

*John Lentz (DR Horton)* answered all of Camargo's questions.

*Mayor Pro Tem Wright* explained that this tax has already been passed.

The Council explained to the residents that they have no choice but to issue the bonds.

*Mayor Pro Tem Wright* went on to explain what he knew of the CFD and that all they were voting on was the bond. He explained that they need to speak to D.R. Horton if they have concerns.

*Council Member Glasper* explained further about the taxes.

*Mayor Kerr* stated that they will be bringing back the tax B.

**The Chair closed Public Hearing at 9:38 p.m.**

**MOTION: Moved by Glasper, seconded by Woodard to adopt Resolution No. 15-43 and 15-44**

**Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, and Mayor Kerr voting yes).**

**O. ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 6. Approval of Job Classifications, Salary Ranges, New Positions and Appropriation of Funds. \*\*\* REMOVED TO LATER MEETING \*\*\***

**P. CITY MANAGERS ANNOUNCEMENTS AND/OR REPORTS**

Interim City Manager Herrera wished Council Member Woodard Happy Birthday. She mentioned a free workshop for businesses in Victorville. She thanked all the City staff.

**Q. CITY COUNCILS ANNOUNCEMENTS AND/OR REPORTS**

Council Member Camargo brought up clean-up day.

Council Member Woodard thanked the Fire Department.

Mayor Pro Tem Wright mentioned that this issue can come back at a later time. He also talked about clean-up day on Saturday. He announced the Trunk or Treat coming up.

Mayor Kerr spoke about the SANBAG Meeting widening the roads. He also mentioned the Wounded Warrior Rodeo.

**R. ADJOURNMENT**

The next Regular Meeting of the City Council will be held on October 14, 2015, at 7:00 p.m. unless a Special Meeting is called.

There being no further business the Chair entertained a motion to adjourn the meeting at 12:40 a.m.

**MOTION: Moved by Glasper, seconded by Woodard**

**Motion carried unanimously 5-0 (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes.)**

\_\_\_\_\_  
Rich Kerr, Mayor

\_\_\_\_\_  
Cindy Herrera, City Clerk, MMC

Clerk of the Meeting: Brenda Lopez, Deputy City Clerk  
Prepared by: Jordyn Thomas, Intern  
Reviewed by: Cindy Herrera, City Clerk



**MINUTES OF THE  
JOINT REGULAR MEETING  
OF THE ADELANTO CITY COUNCIL,  
ADELANTO PUBLIC FINANCING AUTHORITY,  
ADELANTO PUBLIC UTILITY AUTHORITY,  
ADELANTO COMMUNITY BENEFIT CORPORATION,  
AND THE SUCCESSOR AGENCY BOARD**

**OCTOBER 14, 2015**

**A. CALL TO ORDER – CLOSED SESSION**

The Adelanto City Council held a Closed Session on Wednesday, October 14, 2015, in Conference Room 1 of the Governmental Center located at 11600 Air Expressway, Adelanto, California. Mayor Kerr called the meeting to order at 5:30 p.m.

Council Members present: Camargo, Glasper, Woodard, Mayor Pro Tem Wright, and Mayor Kerr

Staff present: City Manager Hart, City Attorney Litfin, and Assistant City Clerk Lopez.

**B. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 SUBDIVISION (d)(2).

THREE CASE(S) WHERE, IN THE OPINION OF THE CITY COUNCIL BASED ON ADVICE OF THE CITY ATTORNEY, BASED ON EXISTING FACTS AND CIRCUMSTANCES, THERE IS A SIGNIFICANT EXPOSURE TO LITIGATION AGAINST THE CITY.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(4) .

TWO CASE(S) WHERE, IN WHICH THE CITY COUNCIL IS DECIDING WHETHER TO INITIATE LITIGATION.

3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: GOVERNMENT CODE SECTION 54957:

Title: Interim City Manager

4. CONFERENCE WITH LABOR NEGOTIATORS – GOVERNMENT CODE SECTION 54957.6.

(1) City Designated Representatives: Cynthia M. Herrera, MMC, Interim City Manager

Vanessa Martinez, Interim Finance Director

Employee Organization: Teamsters Local 911 (General Employees)

5. CONFERENCE WITH LABOR NEGOTIATORS-GOVERNMENT CODE SECTION 54957.6.

(1) City designated representative(s): Cynthia M. Herrera, MMC, Interim City Manager

Vanessa Martinez, Interim Finance Director

Employee Organization: Confidential/Professional Employees Group

**C. PUBLIC COMMUNICATION ON CLOSED SESSION ITEMS**

None

**D. CONVENE INTO CLOSED SESSION**

The Chair called for a motion to enter into Closed Session 5:33 p.m.

**MOTION: Moved by Mayor Pro Tem Wright, seconded by Woodard.**

**Motion carried unanimously 5-0 (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).**

**E. CALL TO ORDER – REGULAR MEETING**

Mayor Kerr reconvened the regular meeting at 7:14 p.m.

Council Members present: Camargo, Glasper, Woodard, Mayor Pro Tem Wright, and Mayor Kerr

Staff present: Interim City Manager Herrera, City Attorney Litfin, and Assistant to the City Clerk Lopez

Invocation by: Michael Gist of Calvary Chapel

The flag salute was presented by Mayor Kerr.

**F. CONFLICT OF INTEREST**

None.

**G. CONDUCT OF CLOSED SESSION**

City Attorney Litfin stated there was no reportable action.

**H. DELETIONS/ADDITIONS TO AGENDA**

Interim City Manager Herrera stated item no. 15 on the Consent Calendar needed to be pulled for further revisions.

City Attorney Litfin stated a need to add an item to the agenda with regards to an infrastructure conference. It is an authorization request to send Planning Commissioner Flores and Mayor Kerr.

**MOTION: Motioned by Woodard, seconded by Mayor Pro Tem Wright to add an authorization request for the infrastructure conference on the Consent Calendar.**

**Motion carried unanimously 5-0 (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).**

City Attorney Litfin noted they will pull item no. 12 and 17 for discussion.

## I. PRESENTATIONS

1. Presentation by Interim City Manager Herrera to the Employee of the Quarter.

Bill Rinker was presented Employee of the Quarter.

## J. PUBLIC COMMUNICATIONS

1. Mayor Kerr: He announced the flapjack fundraiser for Swapping Mamas. He also mentioned the Trunk or Treat on October 29<sup>th</sup>. He asked for donations in order to buy the candy.
2. Ed Houston: He has turned in vehicles to the Police and wanted to commend them for the great job they have been doing. He wanted information on the Planning Commission and does not know when the meetings are.
3. Jerry Davis: He talked about the Rodeo and made a comment about the Mayor riding a bull. He thanked Shad Boyd and said he was a great citizen. They worked the dunk tank at the Rodeo. They also donated money to the Wounded Warrior Project as well as the City.
4. Shad Boyd: He said he had a great time at the Rodeo. He complemented the staff and the people at the City. He stated that his sister is a promoter and would like to promote the Trunk or Treat.
5. Joy Jeannette: She thanked anyone who gave her the opportunity to help at the Rodeo. She stated the seniors put in 50 hours of work and they cleaned up the Rodeo until 2:00 a.m. She is proud to be a part of Adelanto.
6. Nicole Eplen: She thanked the Council for letting Johnny Salazar open up his dispensary  
  
City Attorney Litfin noted that the Council did not authorize him to open his dispensary up.
7. Joshua and Dartagnun Graham-Anderson: They wanted to thank the Council for allowing them to volunteer at the Rodeo. They also thanked them for the support of Swapping Mamas. They wanted to thank the Police Department and their fellow marines with involvement with the Wounded Warriors Project.
8. ET Snell: He explained Adelanto has gone through a paradoxical shift. He thought the meeting would be better being held at a gym. With regards to cultivation, he feels it is being drug out.
9. Misty Kerr: She brought up a Gala event on October 23. The money would go towards the Adelanto residents when they need rent and electricity.

**K. CONSENT CALENDAR**

**MOTION:** Moved by Camargo, seconded by Gasper to approve the Consent Calendar minus item no. 2, 9, 10, 12, 14, 16, 17, 19, and 21.

1. Motion waiving the full reading of all ordinances and resolutions. Titles for ordinances and resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.
2. **Approval of Meeting Minutes: February 25, 2015 - Regular Meeting**  
**\*\*REMOVED FOR DISCUSSION\*\***  
March 11, 2015 – Regular Meeting  
March 25, 2015 – Regular Meeting
3. Approval of Animal Care and Control Department Report.
4. Approval of Development Services Department Report.
5. Approval of Building and Safety Department Report.
6. Approval of Public Works Department Report.
7. Approval of Engineering Department Report.
8. Approval of Code Compliance Department Report.
9. **Approval of Southern California Mountain’s Foundation as a Designated approved Collector for covered Electronic Waste in the City of Adelanto.**  
**\*\*REMOVED FOR DISCUSSION\*\***
10. **Approval of proposed Amendment to Contract for use of the Community Center by Another Level for Women/High Desert Community Foundation.**  
**\*\*REMOVED FOR DISCUSSION\*\***
10. Approval of Authorization for City Manager to sign Solicitation/Modification of Contract issued by U.S. Immigration Customs Enforcement (ICE) .

12. **Approval of 2nd Reading of Ordinance No. 539 entitled  
\*\*\*REMOVED FOR DISCUSSION\*\*\***

**ORDINANCE NO. 539**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
ADELANTO, CALIFORNIA, ADDING SECTION 17.80.080  
OF THE ADELANTO MUNICIPAL CODE RELATING TO  
MEDICAL MARIJUANA CULTIVATION**

13. Approval of Memorandum of Understanding between the City of Adelanto and Teamsters Local 911, General Unit.

14. **Approval of Confidential/Professional Salary Benefits Resolution No. 15-36.  
\*\*\*REMOVED FOR DISCUSSION\*\*\***

**RESOLUTION NO. 15-36**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ADELANTO, COUNTY OF SAN BERNARDINO,  
CALIFORNIA, ESTABLISHING SALARY AND BENEFITS  
FOR THE CONFIDENTIAL/PROFESSIONAL EMPLOYEES  
OF THE CITY**

15. Receive and File the Fireworks Stand Financial Report for 2015.

16. **Approval of Letter of Agreement for Collaboration with Alliance Building Solutions in performing an Energy Audit and Streetlight Acquisitions Analysis. \*\*\*REMOVED FOR DISCUSSION\*\*\***

17. **Approval of Amendment No. 3 to Subdivision Improvement and Reimbursement Agreement. \*\*\*REMOVED FOR DISCUSSION\*\*\***

18. Approval of the Purchase of a Tractor for the Wastewater Treatment Plant.

19. **Approval of Classification and Salary Range Resolution No. 15-45.  
\*\*\*REMOVED FOR DISCUSSION\*\*\***

**RESOLUTION NO. 15-45**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ADELANTO, COUNTY OF SAN BERNARDINO,  
CALIFORNIA, AMENDING THE BUDGET ADDING  
SALARY CLASSIFICATION, AND APPROPRIATING  
FUNDS FOR THE MUNICIPAL BUDGET YEAR 2015-2016**

20. Approval of Warrant:
- a. Approval of City of Adelanto Warrant, 15/16-04-01, 132983 through 133057, for the total amount of \$667,995.76.
  - b. Approval of City of Adelanto Warrant, Electronic Fund Transfers, 15/16-03-02, 89 through 93, for the total amount of \$24,303.47.
  - c. Approval of City of Adelanto Water Authority, 5/16-04-01, 27259 through 27274, for the total amount of \$744,483.83.
  - d. Approval of Adelanto Water Authority Utility Deposit Refunds Warrant, 5/16-04-01, 26846 through 26898, for the total amount of \$8,611.83.
  - e. Approval of Adelanto Public Utility Authority Warrant, 5/16-04-01, 3492 through 3499, for the total amount of \$73,317.01.

**21. Authorization Request for Infrastructure Conference \*\*\*REMOVED FOR DISCUSSION\*\*\***

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes)

<b>L. CONSENT CALENDAR OF THE SUCCESSOR AGENCY BOARD</b>
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1. APPROVAL OF WARRANT:
- a. Approval of The Successor Agency Board Warrant, 15/16-04-01, 7925 through 7925, for the total amount of \$854.80.

MOTION: Moved by Mayor Pro Tem Wright, seconded by Glasper to approve The Successor Agency Board Warrant, 15/16-04-01, 7925 through 7925, for the total amount of \$854.80.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

**M. PUBLIC HEARING**

1. **PUBLIC HEARING:** INTRODUCE FOR THE FIRST READING, ORDINANCE 536, AMENDING CHAPTER 8.40, RESIDENTIAL RENTAL DWELLING UNIT INSPECTION AND MAINTENANCE PROGRAM. (TODD)

**RECOMMENDATION:** Approve the first reading of Ordinance No. 536, amending the residential rental dwelling unit inspection and maintenance.

ORDINANCE 536

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ADELANTO, CALIFORNIA, AMENDING TITLE 8, ADDING CHAPTER 8.40 TO THE ADELANTO MUNICIPAL CODE PERTAINING TO REGULATION OF RESIDENTIAL RENTAL INSPECTION AND MAINTENANCE PROGRAM

Senior Planner De Manincor presented the report. He explained that the item is being brought back. It was realized that there wasn't an initial inspection. This was the only alteration.

Mayor Pro Tem Wright asked if this language will correctly fix the problem.

Senior Planner De Manincor stated that it would fix the problem.

The Chair opened Public Hearing at 7:54 p.m.

No Public Comment.

The Chair closed Public Hearing at 7:55 p.m.

MOTION: Moved by Mayor Pro Tem Wright, seconded by Camargo

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

## N. NEW BUSINESS

1. MEASURE I FIVE YEAR CAPITAL IMPROVEMENT PROGRAM AND EXPENDITURE STRATEGY FOR 2015/2020. (TOM)

**STAFF RECOMMENDATION:** Staff recommends that the City Council adopt the attached five year Capital Improvement Program and the expenditure strategy for the 2015/2020 half cent sales tax revenue generated through Measure I.

City Attorney Litfin presented the report. He explained that is Measure I is a list of things that want to do in the future. This is a requirement to approve these future projects that allows funds to be used. If there a priority project that is not there, they can alter the Measure I.

Mayor Pro Tem Wright mentioned the street light project was not listed

City Attorney Litfin explained that he can put it on there tonight.

**MOTION:** Moved by Mayor Pro Tem Wright, seconded by Woodard to approve the five year Capital Improvement Program and the expenditure strategy for the 2015/2020 half cent sales tax revenue generated through Measure I.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

2. WATER RATE PROPOSAL. (VANESSA)

**STAFF RECOMMENDATION:** Staff recommends that the Adelanto Public Utility Authority (APUA) gives authorization to the City Manager to sign and approve proposed Water Rate Study from Peasley, Aldinger & O’Bymachow an Accountancy Corporation, for a professional third party comprehensive 5 year financial analysis of the Water Enterprise Funds; to consider proposed new water rates to meet the State’s enforcement action issued upon the Adelanto Water Authority, additionally to be financially prudent in response to increasing operating costs.

Assistant Director of Finance Martinez presented the report. 2009 was the last approval of gradual rate increase and 2012 was the last time APUA rates increased. The new proposal will raise rates to cover costs accordingly. It has been 3 years since the APUA has required a rate increase. Labor and costs are increasing so the rates need to increase as well. The replacement water costs are extremely high for the extra water APUA needed. The California Water Board issued an action letter with requirements. They are looking to fine people who go over a certain amount of water usage. They are looking to do a Water Rate Study for 5 years in order to determine appropriate rates. Staff will present findings to the Board Members in which they will determine requirements.

City Council Minutes  
Regular Meeting  
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Council Member Camargo stated that he is concerned and wanted to know if the study could be done in house.

Assistant Director of Finance Martinez explained it will not be in a timely matter versus the consultant doing it. There can also be bias opinions with has the City's own staff. This can cause conflict of interest.

Council Member Woodard stated that there are conflicting rules and regulations. He also mentioned all rates are rising due to the State.

Mayor Pro Tem Wright said he is not happy that they are forcing this charge on the citizens. He felt that the state needs to step up and questions spending a certain amount of money. He believes that most of this water in California is being used in agricultural use. The residents of California should not pay the rates. He would like to see a CPI put in place so it goes up over time.

Mayor Kerr stated that he agrees with this statement. He does not believe that he can spend \$18,000.00 to look at water studies. He feels that it will not give us new findings.

City Attorney Litfin explained it was an order to cut the water usage by 20%. There were also requirements put upon the City by the state to try and conserve water. A rate study is going to help to make sure we are accurately paying. There is no legal requirement to do this rate study. He explained the whole state is having this problem. All the water agencies are not making what they used to and now are trying to find money elsewhere.

Council Member Glasper believes this is too expensive. He wants them to look into desalinating water from the ocean.

Mayor Pro Tem Wright stated that he discussed adding a CPI.

Assistant Director of Finance Martinez stated that a CPI is something she would recommend.

Mayor Pro Tem Wright went into further discussion about residents trying their best to conserve water but there is not much more they can do.

**The Chair opened Public Hearing at 8:22 p.m.**

1. Ed Houston: He is for the idea of desalination. He explained that he has gallon containers in his backyard waiting for El Nino. He is willing to give that water to the water company. He also suggested everyone in Adelanto have at least one container in their backyard to obtain water.
2. Joy Jeannette: She wishes California would do reverse osmosis for agricultural needs.
3. Melody Rogers: She owns property in Hesperia and pays double in her property

in Adelanto. She wanted to know what the rates will be going to. She mentioned getting a study out for bid.

Council Member Glasper mentioned water tanks and would like to know if there is water in them.

City Attorney Litfin confirmed that water is strictly used in Adelanto.

4. Mory Deley: He talked about medical marijuana to help fund these rates.

Assistant Director of Finance Martinez stated that any funds received from marijuana would have to go into the general fund. She highly recommended either internal or external study.

5. Chris Waggener (Chair of Planning Commission): talked about the possible proposal with the people of Isreal to do water purification as an alternative

6. Shad Boyd: He wanted to know if they are going by a whole versus each individual when it comes to water conservation. He believes these rates are a scam.

**The Chair closed Public Hearing at 8:35 p.m.**

Council Member Camargo wanted to ask the staff to look at other options before sending a study out to another source

Assistant Director of Finance Martinez stated there was an original requirement for this rate study. They chose a specific person to do a study because he is familiar with the APUA.

**MOTION: Moved by Woodard, seconded by Glasper to receive and file proposed Water Rate Study from Peasley, Aldinger & O'Bymachow an Accountancy Corporation.**

**Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).**

3. DISCUSSION ITEM: AD HOC HIGH DESERT WATER COMMITTEE. (Mayor Kerr)

**STAFF RECOMMENDATION:** No recommendation discussion item only.

Mayor Kerr explained AD HOC is a term to form a committee. They want to bring all the cities in the High Desert together to discuss this issue and help each other with ideas. It was the consensus that this be looked into.

**O. ITEMS REMOVED FROM CONSENT CALENDAR**

**2. Approval of Meeting Minutes: February 25, 2015 - Regular Meeting  
\*\*REMOVED FOR DISCUSSION\*\***

Council Member Camargo wanted a correction. He wanted to clarify his baseball team is not a Little League. It is his own organization and is called the High Desert Devils.

MOTION: Moved by Council Member Camargo, seconded by Mayor Tem Wright to approve Meeting Minutes from February 25, 2015 – Regular Meeting

Motion carried unanimously 5-0 (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

**9. Approval of Southern California Mountain's Foundation as a Designated approved Collector for covered Electronic Waste in the City of Adelanto.  
\*\*\*REMOVED FOR DISCUSSION\*\*\***

Council Member Camargo wanted to know if the entity will be charging.

Mayor Pro Tem Wright explained that they will not charge as long as they are allowed to collect tires and electronic waste to fulfill their grants and funds.

There was further discussion regarding how the entity would be utilized.

City Attorney Litfin explained how they are allowed to do this.

MOTION: Moved by Mayor Camargo, seconded by Mayor Tem Wright to approve Southern California Mountain's Foundation as a Designated approved Collector for covered Electronic Waste in the City of Adelanto.

Motion carried unanimously 5-0 (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

**10. Approval of proposed Amendment to Contract for use of the Community Center by Another Level for Women/High Desert Community Foundation.  
\*\*\*REMOVED FOR DISCUSSION\*\*\***

Camargo just wanted to make sure they are not in the building stages yet.

City Attorney Litfin explained they are not.

MOTION: Moved by Mayor Camargo, seconded by Mayor Tem Wright to approve proposed Amendment to Contract for use of the Community Center by Another Level for Women/High Desert Community Foundation.

Motion carried unanimously 5-0 (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

**12. Approval of 2nd Reading of Ordinance No. 539 entitled  
\*\*\*REMOVED FOR DISCUSSION\*\*\***

**ORDINANCE NO. 539**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF ADELANTO, CALIFORNIA,  
ADDING SECTION 17.80.080 OF THE ADELANTO  
MUNICIPAL CODE RELATING TO MEDICAL  
MARIJUANA CULTIVATION**

City Attorney Litfin explained the first reading was approved. He explained laws got approved by the Governor but they needed to be amended. This is back to fix legal requirements. He listed state laws require state licenses, labor costs, electrical and water usage, and general clause to be included with regarded to state laws.

Mayor Pro Tem Wright asked if people can start applying.

City Attorney Litfin confirmed that.

Council Member Woodard asked if it was approved as written, can it be modified at a later time.

City Attorney Litfin explained that could be an option to approve then amend it later. He does not recommend that.

Council Member Woodard asked if they get all the legal issues fixed can it be ready for the next meeting.

City Attorney Litfin said he can do that.

Mayor Pro Tem Wright wanted to know if complying with state law now can help this push through faster.

City Attorney Litfin confirmed that it can.

**The Chair opened Public Comment at 9:16 p.m.**

1. Debra Jones: She is a trustee of the Adelanto School District. She is here on behalf of herself as a citizen and the School District. She thanked the Council for their due diligence. She stated that the School District does not agree.
2. Freddy Sayeah: He talked about the regulations the state needed for structure of this industry. His interest is research. He wanted the City to look into rate permits.
3. Shad Boyd: He asked that they do their due diligence and bring them in to the City

and bring honorable people. He wanted them to sit down with the people they are bringing into the City and make sure they are good.

4. Jerry Davis: He wanted a representative to talk about propositions. He felt that the city is right to put laws into place. It is a critical component to make sure everything is done correctly.

Mayor Pro Tem Wright stated he can get the ordinances to him. He emphasized this is protecting the City. He doesn't want there to be a legal issue.

The Chair closed Public Comment at 9:35 p.m.

MOTION: Moved by Mayor Pro Tem Wright, seconded by Mayor Kerr to approve item as 1<sup>st</sup> reading and make a recommend changes by the Council and City Attorney.

Motion carried 4-1 (Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes). (Camargo voting no)

14. **Approval of Confidential/Professional Salary Benefits Resolution No. 15-36.**  
**\*\*\*REMOVED FOR DISCUSSION\*\*\***

#### **RESOLUTION NO. 15-36**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ADELANTO, COUNTY OF SAN BERNARDINO,  
CALIFORNIA, ESTABLISHING SALARY AND BENEFITS  
FOR THE CONFIDENTIAL/PROFESSIONAL EMPLOYEES  
OF THE CITY**

16. **Approval of Letter of Agreement for Collaboration with Alliance Building Solutions in performing an Energy Audit and Streetlight Acquisitions Analysis.** **\*\*\*REMOVED FOR DISCUSSION\*\*\***

Council Member Camargo has questions regarding this company because he believes Edison does this for free.

City Attorney Litfin explained that Edison requires a \$10,000.00 deposit to conduct a study on the street lights in the city. He explained this company is doing a more thorough analysis for free.

Mayor Pro Tem Wright is in favor of the company. He gave background of how it would work. He emphasized that Edison is taking too long and this stuff needs to be done now.

Council Member Woodard stated if a new company comes in they can receive better savings.

Mayor Pro Tem Wright stated that there is too much concern on the past. He stated the company is doing it for free.

**MOTION: Moved by Mayor Pro Tem Wright, seconded by Mayor Kerr**

**Motion carried 4-1 (Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).  
(Camargo voting no)**

**17. Approval of Amendment No. 3 to Subdivision Improvement and Reimbursement Agreement. \*\*\*REMOVED FOR DISCUSSION\*\*\***

City Attorney Litfin presented this agreement. There was an original idea for a strip mall. There was a special escrow account to do roadway improvements to entice the property. This amendment would increase the Measure I agreement. San Bag said this should go through public bidding procedures. It is recommended to push this item for further discussion. He wanted to add a particular language to this amendment.

Walt Mitchell (Lewis Company): He is disappointed that this needs to go out to bid again. He wished this would move forward with this project.

**MOTION: Motioned by Mayor Pro Tem Wright, seconded by Woodard to pull and direct staff to expedite the bidding process.**

**Motion carried 4-1 (Camargo, Glasper, Woodard, Mayor Pro Tem Wright voting yes)  
(Mayor Kerr voting no)**

**19. Approval of Classification and Salary Range Resolution No. 15-45.  
\*\*\*REMOVED FOR DISCUSSION\*\*\***

**RESOLUTION NO. 15-45**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ADELANTO, COUNTY OF SAN BERNARDINO,  
CALIFORNIA, AMENDING THE BUDGET ADDING  
SALARY CLASSIFICATION, AND APPROPRIATING  
FUNDS FOR THE MUNICIPAL BUDGET YEAR 2015-2016**

Council Member Camargo wanted clarification that the language changed on the second page with regards to the correctional facility.

It was confirmed that the language was changed.

**MOTION: Moved by Camargo, seconded by Mayor Tem Wright to approve Classification and Salary Range Resolution No. 15-45.**

**Motion carried unanimously 5-0 (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).**

**21. Authorization Request for Infrastructure Conference \*\*\*REMOVED FOR DISCUSSION\*\*\***

Council Member Camargo would like someone with authority to go to this conference.

There was a brief discussion regarding the item.

**MOTION: Moved by Woodard, seconded by Mayor Tem Wright to approve Authorization Request for Infrastructure Conference.**

**Motion carried 4-1 (Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes). (Camargo voting no).**

#### **P. CITY MANAGERS ANNOUNCEMENTS AND/OR REPORTS**

Interim City Manager Herrera mentioned special occasions for the upcoming holidays. The 45<sup>th</sup> City Anniversary will be held at the City Council Meeting in December.

#### **Q. CITY COUNCILS ANNOUNCEMENTS AND/OR REPORTS**

Council Member Camargo addressed ET Snell about his comment. The rumors of his animal were incorrect. He explained his animal died of heat exhaustion due to the type of breed he was. He mentioned the road repairs and street safety. He expressed his concerns with open holes in the road with only cones surrounding it.

Council Member Woodard thanked the Fire Department for cleaning up their Fire Station. He had a question about money being in place to put concrete in the elementary schools.

City Attorney Litfin explained it was a joint project with Victorville and they are handling it. There was a delay to environmental issues.

Council Member Glasper talked about men motivationally speaking to the students of Adelanto by shaking their hands as they entered the school

Mayor Pro Tem Wright talked about going to conferences such as the League of Cities. He met many different cities and learned about many programs to help the City. He mentioned that Adelanto was recognized for the National Transportation Organization. He thanked everyone who participated in the Rodeo. He wishes the newspaper would promote Adelanto, not just negative aspects.

Mayor Kerr confirmed they made \$1,018.30 was raised for the Trunk or Treat. He appreciated the City for allowing him to be Mayor. He commended the volunteers for the Rodeo.

**R. ADJOURNMENT**

The next Regular Meeting of the City Council will be held on October 8, 2015, at 7:00 p.m. unless a Special Meeting is called.

There being no further business the Chair entertained a motion to adjourn the meeting at 9:56 p.m.

**MOTION: Moved by Mayor Pro Tem Wright, seconded by Glasper.**

**Motion carried unanimously 5-0 (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes.)**

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Rich Kerr, Mayor

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Cindy Herrera, City Clerk, MMC

Clerk of the Meeting: Brenda Lopez, Deputy City Clerk  
Prepared by: Jordyn Thomas, Intern  
Reviewed by: Cindy Herrera, City Clerk



# CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

**DATE:** April 13, 2016

**TO:** Honorable Mayor and City Council Members

**FROM:** Cynthia M. Herrera, MMC, Interim City Manager/ City Clerk

**BY:** Steve Peltier, Community Safety Manager

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**SUBJECT:** ANIMAL CARE & CONTROL DEPARTMENT MONTHLY REPORT – MARCH 2016

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**STAFF RECOMMENDATION:**

Staff requests that City Council approve the Animal Care & Control report for March 2016

**BACKGROUND:**

See attached

**FISCAL IMPACT:**

None

**ATTACHMENTS:**

1. Monthly report for March 2016

## **ANIMAL CARE & CONTROL DEPARTMENT MONTHLY REPORT – MAR 2016**

Calls received by phone/dispatch/VM:	<b>183</b>		
NOV's issued to Public:	<b>10</b>		
Citations issued to Public:	<b>16</b>		
Canvassing / licenses sold in field:	<b>0</b>		
LIVE Dog / cat picked up for the month:	Dogs <b>68</b>	Cats <b>16</b>	
Dog(s) captured at large:	Dogs <b>15</b>		
DOA Dog / cat picked up for the month:	Dogs <b>11</b>	Cats <b>10</b>	
Animal bite reports taken:	<b>1</b>		
Dog / cat on quarantine:	Dogs <b>1</b>	Cats <b>0</b>	
Owner turn in / release:	Dogs <b>7</b>	Cats <b>1</b>	
Dog / cat returned to owner:	Dogs <b>5</b>	Cats <b>0</b>	
Dog / cat stolen, escaped, etc:	Dogs <b>0</b>	Cats <b>0</b>	
Dog / cat euthanized at veterinarian:	Dogs <b>0</b>	Cats <b>0</b>	
Farm animals picked up:	<b>0</b>	Snakes picked up:	<b>0</b>
		Bees:	<b>0</b>

### **NOTES:**



# CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

**DATE:** April 13, 2016

**TO:** Honorable Mayor and City Council Members

**FROM:** Cindy Herrera, City Manager

**BY:** Mark de Manincor, Senior Planner

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**SUBJECT:** DEVELOPMENT SERVICES REPORT FOR MARCH 2016

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## **STAFF RECOMMENDATION**

Receive and file the Development Services Department Monthly Report for March 2016.

## **BACKGROUND**

See attachments.

## **FISCAL IMPACT**

See attachments.

## **ATTACHMENTS:**

1. Activity Report March 2016
2. Financial Report March 2016



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Development Services Department  
Planning Division

April 13, 2016

**Subject:** Monthly Development Services Activity Report for March 2016.

**PROPOSALS CONSIDERED BY THE PLANNING COMMISSION:**

1. 3<sup>rd</sup> Extension of Time for Tentative Tract Map 16916.
2. 3<sup>rd</sup> Extension of Time for Tentative Tract Map 16918
3. Code Amendment 16-01 amending Chapter 17.165 Nonconforming Uses and Structures.

**PROPOSALS CONSIDERED BY THE CITY COUCL:**

1. Location and Development Plan 15-03, Conditional Use Permit 15-02, GEO, 1,000 Bed Prison.

**PROJECTS REVIEWED BY THE DEVELOPMENT REVIEW COMMITTEE:**

1. Miscellaneous Projects

**GEOGRAPHIC INFORMATION SYSTEMS PROJECTS:**

1. Miscellaneous Exhibits.

**NEW PROJECTS:**

1. Business License Review 16-04, Jermaine Wright, Restaurant, 11619 Rancho Road.
2. Business License Review 16-05, Rupert Lewis, Social Club, 11651 Rancho Road.
3. Business License Review 16-06, Mourad Yessa, Pizza Restaurant, 11965 Cactus Road # H.
4. Business License Review 16-07, Jose Bond, Auto Parts, 12020 Air Expressway.
5. Conditional Use Permit 16-04, Calcanna Patient Services, 1,800 square foot cultivation facility, 17031 Muskrat Avenue.
6. Conditional Use Permit 16-05, Mirasol Development, 2.5 Megawatt Photovoltaic power generating facility, SEC Holly and Koala.
7. Conditional Use Permit 16-06, Mirasol Development, 1 Megawatt Photovoltaic power generating facility, Near Yucca and Hibiscus.
8. Conditional Use Permit 16-07, High Desert Research and Development, 20,000 square foot cultivation facility, 16600 Koala Road.
9. General Plan Amendment 16-01, Mirasol Development, 1 Megawatt Photovoltaic power generating facility, Near Yucca and Hibiscus.

10. Location and Development Plan 16-03, Mirasol Development, 2.5 Megawatt Photovoltaic power generating facility, SEC Holly and Koala.
11. Location and Development Plan 16-04, Mirasol Development, 1 Megawatt Photovoltaic power generating facility, Near Yucca and Hibiscus.
12. Medical Marijuana Cultivation Permit 16-04, The Arkive LLC., 4,795 Cultivation facility, 9387 Commerce.
13. Medical Marijuana Cultivation Permit 16-05, Bloomfield Productions, 24,000 square foot cultivation facility, 17178 Raccoon.
14. Minor Location and Development Plan 16-01, Chris Waggener, 4,500 square foot hanger, 15849 Waco Court.
15. Temporary Use Permit 16-01, Adelanto Youth, Fireworks Stand, NWC HWY 395 and Seneca.
16. Temporary Use Permit 16-02, American Legion, Fireworks Stand, 17760 Adelanto Road.
17. Temporary Use Permit 16-03, High Desert Devils, Fireworks Stand, NWC Palmdale and Bellflower.
18. Temporary Use Permit 16-04, Desert Streams Baptist Church, Fireworks Stand, NEC Rancho and 395.
19. Temporary Use Permit 16-05, Little League, Fireworks Stand, 14168 HWY 395.
20. Temporary Use Permit 16-06, Greater Life Church, Fireworks Stand, 11835 Chamberlaine.
21. Temporary Use Permit 16-07, Christ the Good Shepard, Fireworks Stand, SWC Cactus and HWY 395.
22. Temporary Use Permit 16-08, High Desert Bingo, Fireworks Stand, NEC Aster and Palmdale.
23. Temporary Use Permit 16-09, AAPOA, Fireworks Stand, NEC Jonathan and Air Expressway.
24. Temporary Use Permit 16-10, Knights of Columbus, Fireworks Stand, 11500 Bartlett.
25. Temporary Use Permit 16-11, City of Lord Church, Fireworks Stand, NEC HWY 395 and Rancho.
26. Temporary Use Permit 16-12, Down 2 Earth Christian Fellowship, Fireworks Stand, SWC HWY 395 and Mojave.
27. Temporary Use Permit 16-13, High Desert Ducks, Fireworks Stand, NEC HWY 395 and Rancho.

City of Adelanto  
Development Services Department  
Monthly Financial Report  
Mar-16

	<u>YTD</u> <u>APPLICATIONS</u> <u>MARCH 2016</u>				<u>LAST YTD</u> <u>APPLICATIONS</u> <u>MARCH 2015</u>	<u>LAST YTD</u> <u>MONIES</u> <u>MARCH 2015</u>
	New Applications	New Deposits	New Applications YTD	New Deposits YTD	New Applications	Deposits
Conditional Use Permits	4	\$10,940.00	7	\$19,145.00	1	\$2,735.00
Extensions of Time	0	\$0.00	2	\$1,380.00	0	\$0.00
General Plan Amendments	1	\$2,220.00	1	\$2,220.00	1	\$2,220.00
Home Occupation Permits	0	\$0.00	5	\$475.00	2	\$95.00
Location and Development Plans	2	\$2,140.00	4	\$4,280.00	1	\$1,070.00
Medical Marijuana Cultivation Permit	2	\$14,000.00	4	\$28,000.00	0	\$0.00
Minor Conditional Use Permit	0	\$0.00	0	\$0.00	0	\$0.00
Misc	13	\$5,200.00	13	\$5,200.00	9	\$3,600.00
Location and Development Plans - MOD	1	\$305.00	1	\$305.00	1	\$305.00
Landscape Plan Check	0	\$0.00	0	\$0.00	0	\$0.00
Zoning Letters	0	\$0.00	1	\$255.00	0	\$0.00
Preliminary Reviews	0	\$0.00	1	\$255.00	0	\$0.00
Sign Permits	0	\$0.00	1	\$275.00	0	\$0.00
Temporary Use Permits	13	\$3,575.00	13	\$3,575.00	9	\$2,475.00
Tentative Parcel Maps	0	\$0.00	0	\$0.00	1	\$2,630.00
Tentative Tract Maps	0	\$0.00	0	\$0.00	0	\$0.00
Zone Changes	0	\$0.00	0	\$0.00	1	\$0.00
Environmental Fees	3	\$4,140.00	6	\$8,280.00	1	\$1,380.00
New Business Review	4	\$400.00	7	\$700.00	2	\$200.00
<b>TOTAL</b>	<b>43</b>	<b>\$42,920.00</b>	<b>66</b>	<b>\$74,345.00</b>	<b>29</b>	<b>\$16,710.00</b>

\*Misc. includes Certificates of Compliance, Lot Line Adjustments, Lot mergers, Minor Variance, Major Variances zoning letters and other occasional applications

\*Misc. MHC

**City of Adelanto**  
**Community Development Department**  
**Monthly Activity Report**  
**Mar-16**

Customer Service	Monthly Activity		Year-To-Date	Year to Date	LAST YTD	LAST YTD
	Phone Contacts	Counter Contacts	Phone Contacts	Counter Contacts	Phone Contacts	Counter Contacts
January	175	71	175	71	96	51
February	203	94	378	165	162	83
March	264	107	642	272	212	108
April	0	0	0	0	0	0
May	0	0	0	0	0	0
June	0	0	0	0	0	0
July	0	0	0	0	0	0
August	0	0	0	0	0	0
September	0	0	0	0	0	0
October	0	0	0	0	0	0
November	0	0	0	0	0	0
December	0	0	0	0	0	0



# CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

**DATE:** April 13, 2016

**TO:** Honorable Mayor and City Council Members

**FROM:** Cindy Herrera, City Clerk

**BY:** Patrick Carroll – Interim Building Official 

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**SUBJECT:** BUILDING & SAFETY DEPARTMENT – March 2016.

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## **STAFF RECOMMENDATION:**

Staff requests that the City Council approve the monthly Building and Safety Department report for March 2016.

## **BACKGROUND:**

## **FISCAL IMPACT:**

## **ATTACHMENTS:**

1. Monthly Building & Safety Report

Agenda Report (cont'd)

**STATUS BY PERMITS ISSUED, PERMIT FEES & VALUATIONS – MARCH 2016**

**PERMITS**

<b>MONTH</b>	<b>SFR</b>	<b>NEW COMMERCIAL/MFG/IND</b>	<b>T/I TENANT IMPROVEMENTS</b>	<b>MISC</b>
JULY 2015	0	0	4	64
AUG 2015	0	0	2	70
SEPT 2015	0	0	2	88
OCT 2015	0	0	1	65
NOV 2015	16	0	7	115
DEC 2015	0	0	1	57
JAN 2016	5	0	4	63
FEB 2016	0	0	1	75
MAR 2016	0	0	1	101

NOTE: Miscellaneous permits covers patios, fences, gas test, reroofs, block walls, etc., anything other than the actual construction of a new dwelling or business

Agenda report (cont'd)

**PERMIT FEES**

<b>MONTH</b>	<b>NEW SFR</b>	<b>NEW COMM/MFG/IND</b>	<b>T/I TENANT IMPROVEMENT</b>	<b>MISC PERMITS</b>	<b>PLAN CHECK</b>
JULY 2015	\$0.00	\$0.00	\$594.00	\$9,142.00	\$3,780.00
AUG 2015	\$0.00	\$0.00	\$504.00	\$9,416.50	\$5,292.00
SEPT 2015	\$0.00	\$0.00	\$588.00	\$11,796.65	\$4,032.00
OCT 2015	\$0.00	\$0.00	\$108.00	\$8,885.00	\$4,956.00
NOV 2015	\$16,955.00	\$0.00	\$1,246.00	\$18,575.00	\$2,856.00
DEC 2015	\$0.00	\$0.00	\$0.00	\$6,356.00	\$3,024.00
JAN 2016	\$6,085.00	\$0.00	\$240.00	\$7,135.00	\$2,856.00
FEB 2016	\$0.00	\$0.00	\$1092.00	\$7,811.00	\$1,512.00
MAR 2016	\$0.00	\$756.00	\$0.00	\$10,696.02	\$3968.00

**DEVELOPMENT & ASSOCIATED FEE BREAKDOWN: MARCH 2016**

<b>PERMIT TYPE</b>	<b>SMIP</b>	<b>GREEN</b>	<b>PARK</b>	<b>MASTER DRAINAGE</b>	<b>FIRE</b>	<b>Circulation</b>
<b>Comm/Ind</b>			X	X	X	X
<b>T.I.</b>	\$0.00	\$0.00	X	X	X	X
<b>Misc. Permits</b>	\$29.73	\$24.00	X	X	X	X
<b>NEW SFR</b>	\$0.00	\$0.00	X	X	X	X

Agenda Report (cont'd)

**VALUATION**

<b>MONTH</b>	<b>SFR</b>	<b>COMMERCIAL/ MFG/IND</b>	<b>T/I TENANT IMPROVEMENT</b>	<b>MISC</b>
JULY 2015	\$0.00	\$0.00	\$0.00	\$496,536.00
AUG 2015	\$0.00	\$0.00	\$66,893.00	\$550,768.00
SEPT 2015	\$0.00	\$0.00	\$6,637.00	\$599,571.00
OCT 2015	\$0.00	\$0.00	\$1,500.00	\$399,101.00
NOV 2015	\$4,525,355.00	\$0.00	\$16,905.00	\$422,000.00
DEC 2015	\$0.00	\$0.00	\$0.00	\$321,312.00
JAN 2016	\$1,539,587.00	\$0.00	\$0.00	\$381,734.00
FEB 2016	\$0.00	\$350.00	\$13,000.00	\$184,300.00
MAR 2016	\$0.00	\$38,956.00	\$0.00	\$487,525.00



Agenda Report (cont'd)

**TOTAL OF FINAL INSPECTIONS**

<b>MONTH</b>	<b>Commercial Finals</b>	<b>SFR Finals</b>	<b>Miscellaneous Residential Finals</b>
JULY 2015	2	3	55
AUGUST 2015	3	26	46
SEPT 2015	0	17	54
OCT 2015	1	7	59
NOV 2015	1	6	44
DEC 2015	3	0	37
JAN 2016	5	8	22
FEB 2016	1	10	39
MAR 2016	4	8	80



# CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

**DATE:** April 13, 2016

**TO:** Honorable Mayor and City Council Members

**FROM:** Cynthia M. Herrera, MMC, Interim City Manager

**BY:** Don Wappler, Assistant Superintendent

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**SUBJECT:** PUBLIC WORKS MONTHLY DEPARTMENT REPORT FOR STREETS, PARKS,  
BUILDING FACILITIES AND STADIUM – MARCH 2016

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**STAFF RECOMMENDATION:**

Staff requests the City Council approve the Public Works Monthly Report for March 2016

**BACKGROUND:**

**FISCAL IMPACT:**

None

**ATTACHMENTS:**

1. Monthly report for March 2016

**CITY OF ADELANTO  
PUBLIC WORKS DEPARTMENT  
BUILDING FACILITIES, STADIUM, STREETS AND PARKS  
MARCH 2016**

- **RICHARDSON PARK:** Restrooms are cleaned and restocked daily. Cleaned around play equipment. Removed trash and debris from park. Operated weeded eater to remove weeds around fence line. Mowed and applied fertilizer to all grass areas. Repaired 5 sprinklers.
- **RICHARDSON PARK SOCCER FIELD:** Removed trash and debris from soccer field. Mowed, aerated grass and applied fertilizer.
- **RICHARDSON PARK LITTLE LEAGUE:** Removed trash and debris from park. Restrooms are cleaned and restocked daily. Mowed, aerated grass and applied fertilizer.
- **CITY HALL:** Moved cabinet for finance department, repaired urinal in men's public restroom, replaced toilet handle in men's public restroom and weeded front landscape area. Trimmed cactus in landscape area.
- **SENIOR CENTER:** Restocked paper products and checked cleaning of restrooms. Replaced toilet in men's restroom and clean and weeded landscape area.
- **SHERIFFS DEPARTMENT:** Unclogged sink, installed 2 outlet covers and 2 T8 light bulbs, hung 1 board and 3 picture frames.
- **DESERT TRAILS PARK:** Restrooms are cleaned and restocked daily. Removed trash and debris from park. Cleaned around play equipment. Operated weed eater to remove weeds around fence line, picnic tables, benches, trash cans and trees. Repaired 2" sprinkler valve. Aerated grass, edged, mowed and applied fertilizer.
- **DESERT TRAILS LITTLE LEAGUE:** Removed trash and debris. Operated weed eater to remove weed's from fence line, benches and trash cans. Aerated grass.
- **SIERRA PARK:** Removed trash and debris from park. Cleaned around play equipment. Operated weed eater to remove weeds from around trash cans and tables. Repaired leak in sprinkler line, ran drip lines and planted new plants and finished spreading DG ground cover. Mowed and applied fertilizer.
- **MARCONI PARK:** Removed weeds and debris from fence line. Repaired goal post due to vandalism. Cleaned fence line of debris and weeds and applied fertilizer. Repaired chain link gate.

**CITY OF ADELANTO  
PUBLIC WORKS DEPARTMENT  
BUILDING FACILITIES, STADIUM, STREETS AND PARKS  
MARCH 2016**

- **PUBLIC WORKS YARD/VEHICLE MAINTENANCE:** Installed 5 light bulbs and 1 sensor in outside lights at Public Works yard. Serviced vehicles and equipment as needed which included but not limited to oil changes, flat repairs, installing new tires, tire rotations, brakes and prepare city staff vehicles for reservations. Repaired tail lights on pressure washer trailer, repaired heater on pressure washer, replaced fuel line on tractor, cleaned lines on tractor windshield washer sprayers and removed some of the tint, replaced A/C hub on Dodge truck, replaced fuse on Public Works vehicle, replaced sweeper tires, adjusted switch on sweeper's back door, repaired electrical connector on trailer, replaced cover on light bar on asphalt truck, repaired windshield washer line on public works vehicle, repaired tire on yellow trailer, replaced tire on public works truck, removed Gannon and reinstalled mower onto tractor, replaced gutter broom on sweeper, taped hose on pressure washer, replaced stroke lights on tractor.
  
- **LANDSCAPE TRACTS:** Operated weed eater, trimmer and blower to remove weeds and debris on Poppy from Jonathan/Fremontia, Fremontia from Poppy/Holly, Holly from Jonathan/Cactus, Vintage from Muskrat/Koala, Koala/Barcelona, north side of Victor from Pearmain/Milford, Jonathan from Seneca/Holly. Adjusted and repaired sprinklers and valves.
  
- **WEED ABATEMENT-EASEMENTS WITH TRACTOR, TRUCK and/or TRAILER:** Operated tractor, weed eater, trimmer and blower to remove weeds and debris. Trimmed pine tree branches on Palo Verde that was hanging over sidewalk, Removed weeds on Bellflower from Cactus to Rancho, weeded Rancho going East from Bellflower/Adelanto, Rancho from Adelanto heading west to Verbena, south side of Victor from Aster to Bellflower, east side of Bellflower heading south from Mojave, trimmed trees at curb line on Bartlett, Mojave and Adelanto.
  
- **DRAINS and/or WASHES:** Removed excess dirt from wash area in preparation for future storms, continued removing trees and weeds in the Bellflower Wash, rock & debris from Seneca Wash, Neiman's/David's Way, Poppy, Sherman Way, Bellflower, Mojave/Bellflower, Mojave/Verbena, Laguna, Lilac and Lupin. Operated tractor with mower attachment and mowed washes located at Seneca/Verbena, Villa/Verbena, Victor/Davinci, Bellflower/Costello, Seneca/Vista Del Sol, Delicious/Laguna, Begonia/Delicious, Seneca/Pearmain and Pearmain/Victor. Removed debris from drains located Hickory/Ivy, Rosedale/Sherman, Maverick/Dana, Sandstone/Chantale, Mojave/Jonathan, Bellflower/Chapparal, Arbor/Koala.

**CITY OF ADELANTO  
PUBLIC WORKS DEPARTMENT  
BUILDING FACILITIES, STADIUM, STREETS AND PARKS  
MARCH 2016**

- **ASPHALT:** Operated asphalt truck and/or flatbed truck to apply 31 tons of asphalt on streets on north and south side of City where needed. Koala, Muskrat, Stevens, Chamberlaine, Adelanto, Rancho, White, Lee, Casaba, Hardy, Hermosa, Bartlett, Air Expressway, Pearmain, Bellflower, Seneca, Mojave, Verbena, Villa, Jonathan, Victor, Yucca, Aster, Daisy, Joshua, Bonanza, Panther, Joshua, Montezuma, Lupin, Sutter, Cornell, Reiman, Sand, Margie, Rhode Island, Cactus, El Mirage and Victor.
- **GRADER:** Operated the grader to resurface and/or realign dirt roads maintained by the City on Holly from Raccoon/Bellflower, Raccoon to Air Expressway, Air Expressway from Raccoon/Koala, Koodoo and Otter, Raccoon from Air Expressway/Yucca, Delicious from Cortez/Bartlett, Verbena from Air Expressway/Lawson.
- **TRACTOR/DUMP TRUCK:** Operated tractor to remove excessive dirt and debris at Seneca Wash and Bellflower Wash. A total of 8 dump truck/truck and trailer loads.
- **SWEEPER:** Operated the sweeper on north and south sides of the city for approximately 187.6 curb miles.
- **SIGNS & POSTS:** Removed stickers, papers and graffiti from signs and street name signs. Tightened and realigned signs and post as needed. Installed 2 new post and 6 No Parking signs on Violet, installed Stop sign on Rancho/Aster, installed new post on Lilac/Rancho, installed new post on Jonathan/Oxford and reinstalled street name signs and stop sign on post. Reinstalled Stop sign on Koala/Vintage, replaced Stop sign on Palm/Seneca, repaired stop sign at Lawson/Bellflower.
- **PAINT SPRAYERS:** Approximately 15 gallons of yellow paint applied with paint sprayer apply paint for 2 Slow and 4 School legends.
- **GRAFFITI:** Applied paint to remove graffiti from block walls, light post, street signs, and sidewalks throughout the city. Operated the paint sprayer to cover graffiti on block walls on the north and south side of city. Applied graffiti remover on street signs on north and south side of city. Operated the pressure washer to remove graffiti from sidewalks, walls and curbing. Removed yard sale signs and posted signs hung by residents and never removed. Removed graffiti in and on restrooms, bleachers, backstops, play equipment and on trash cans as needed in parks. Total of 307 graffiti tags removed.

**CITY OF ADELANTO  
PUBLIC WORKS DEPARTMENT  
BUILDING FACILITIES, STADIUM, STREETS AND PARKS  
MARCH 2016**

- **BUS SHELTERS:** Removed weeds and debris from bus stops and bus shelters as needed. Operated pressure washer on bus shelters as needed. Removed trash, stickers and graffiti from signs, benches, and concrete at bus stops and shelters as needed.

**COMPLETED ASSIGNMENTS:**

- Daily pothole maintenance
- Daily graffiti removal
- Stocked storage areas at city hall and senior center with paper products for cleaning service
- Removed large item from block wall area north of Seneca
- Cleaned up large item on Holly/Caliente, Poppy, Jonathan, Delicious
- Attended Flagging Class for Public Works Dept.
- Operated tractor to remove dirt off of street at Seneca/Hwy 395
- Installed 2 new flush valves and 2 new spuds in restrooms Glasper Center
- Installed 2 new hose bibs and drinking fountain at Glasper Center
- Installed new pressure relief valve on water heater at Glasper Center
- Weeded Island and installed 2 new fence post, repaired chain-link and gate at Glasper Center
- Applied weed abatement spray at various locations on city street and curb lines
- Operated grinder on Chamberlaine/Juniper and Chamberlaine/Stevens
- Removed sweeper dirt from Water yard and sweeper dump to Soil Safe for a total of 61 loads
- Removed 3 shopping carts and returned to proper businesses
- Removed 2 loads of large tires from Maverick Stadium
- Fueled Sewer Plant Pump/Tractor

**PROJECTS FOR APRIL:**

- Continue to paint stop and stop bars
- Continue to repaint striping on all streets
- Continue to remove graffiti
- Continue weekly pothole maintenance
- Continue weed abatement/chemical spraying program
- Continue to inspect playground equipment
- Continue to inspect all street related signs for any missing or in need of repair throughout city
- Solar light project
- Continue to replace all broken sprinklers in all landscape areas



# CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

**DATE:** April 13, 2016

**TO:** Honorable Mayor and City Council Members

**FROM:** Cynthia M. Herrera, MMC, City Manager / City Clerk

**BY:** Steve Peltier, Community Safety Manager

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**SUBJECT:** CODE COMPLIANCE DEPARTMENT MONTHLY REPORT – MARCH 2016

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**STAFF RECOMMENDATION:**

Staff requests the City Council approve the Code Compliance monthly report for March 2016.

**BACKGROUND:**

Property Inspections:	321
Apartment Inspections:	0
Other Service Calls:	34
Total Parking Citations:	58
Total Administrative Citations:	30

**FISCAL IMPACT:**

Cost recovery, apartment inspections and citation fines have a positive fiscal impact of \$34,390.60

**ATTACHMENTS:**

1. Monthly Report
2. Detailed daily overview of work completed by individual officers.



# CASE LOAD

Mar-16

Officer P. Avalos

Date	Tire Grant				CDBG / South																		Housing Units receiving Violations:	Housing units where Code	Housing units where code		
	Surveillance		Tire Inspections		Miles Driven	Total # of Calls		Apartment Inspection	Inspections		Warrants		Cites		Other Calls		Code Tech		Notices		Closed					ACO	
	Hours	# Tires	Hours	Inspect		CDBG	South		CDBG	CDBG	South	CDBG	South	CDBG	South	CDBG	South	CDBG	South	CDBG	South	CDBG				South	Reg
030116						5	7		3	6			1	1	1		1	0.5	3	5					3	0	0
030216						2	12		2	11				1			1	1	2	7		1			2	0	0
																									0	0	0
																									0	0	0
																									0	0	0
																									0	0	0
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																									0	0	0
																									0	0	0
																									0	0	0
																									0	0	0
<b>Total</b>	0.00	0	0.00	0	0	7	19	0	5	17	0	0	1	2	1	0	2.00	2	5	12	0	1	0.00	0.00	5	0	0

South-Inspections, citations, other contacts and warrants =South 19 calls for service.  
 CDBG-Inspections, citations, other contacts and warrants =CDBG 7 calls for service.

# CASE LOAD

Mar-16

Officer K. Bowen

Date	Tire Grant					CDBG / South																		Housing Units receiving Violations:	Housing units where Code	Housing units where code		
	Surveillance		Tire Inspections		Miles Driven	Total # of Calls		Apartment Inspection	Inspections		Warrants		Cites		Other Calls		Code Tech		Notices		Closed		ACO					
	Hours	# Tires	Hours	Inspect		CDBG	South	CDBG	CDBG	South	CDBG	South	CDBG	South	CDBG	South	CDBG	South	CDBG	South	CDBG	South	Reg				O.T.	CDBG Only
031416						4	5		3	4					1	1		1	2	1					2	0	0	
032116						1	7		1	7							1		4	1	2				0	0	0	
																									0	0	0	
																										0	0	0
																										0	0	0
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																										0	0	0
																										0	0	0
																										0	0	0
																										0	0	0
<b>Total</b>	0.00	0	0.00	0	0	5	12	0	4	11	0	0	0	0	1	1	0.00	2	2	5	1	2	0.00	0.00	2	0	0	

South-Inspections, citations, other contacts and warrants =South 12 calls for service.  
 CDBG-Inspections, citations, other contacts and warrants =CDBG 5 calls for service.

# CASE LOAD

Feb-16

Officer R. Cravens

Date	Tire Grant				CDBG / South																		Housing Units receiving Violations:	Housing units where Code	Housing units where code		
	Surveillance		Tire Inspections		Total # of Calls		Apartment Inspection		Inspections		Warrants		Cites		Other Calls		Code Tech		Notices		Closed					ACO	
	Hours	# Tires	Hours	Inspect	CDBG	South	CDBG	CDBG	South	CDBG	South	CDBG	South	CDBG	South	CDBG	South	CDBG	South	CDBG	South	Reg				O.T.	CDBG Only
030416					1	7			1	3				4			2	0.5		1		2			0	0	0
031116					18			13					5			1		1		4				1	0	0	
031816					4	7		3	6				1	1		1		2	1		3			2	0	0	
032516					1	27		1	16				10		1	1	0.5		2		1	11			0	1	0
032616						22			9				13			1			2			2			0	0	0
																									0	0	0
																									0	0	0
																									0	0	0
																									0	0	0
																									0	0	0
																									0	0	0
																									0	0	0
																									0	0	0
																									0	0	0
																									0	0	0
																									0	0	0
																									0	0	0
																									0	0	0
<b>Total</b>	0	0	0	0	0	24	63	0	18	34	0	0	5	28	1	1	6	1	3	6	5	18	0	0	3	1	0

South-Inspections, citations, other contacts and warrants =South 63 calls for service.  
 CDBG-Inspections, citations, other contacts and warrants =CDBG 24 calls for service.

# CASE LOAD

Mar-16

Officer R. De La Torre

Date	Tire Grant				CDBG / South																		Housing Units receivings Violations:	Housing units where Code	Housing units where code			
	Surveillance		Tire Inspections		Total # of Calls		Apartment Inspection		Inspections		Warrants		Cites		Other Calls		Code Tech		Notices		Closed					ACO		
	Hours	# Tires	Hours	Inspect	CDBG	South	CDBG	CDBG	South	CDBG	South	CDBG	South	CDBG	South	CDBG	South	CDBG	South	CDBG	South	Reg				O.T.	CDBG Only	CDBG Only
030316					2	8			2	8							1		1	4					1	0	0	
030716					4	10				7			1	3	3		1.5	2.25		2		4			0	0	0	
030816					6	4									6	4	1	2.5							0	0	0	
030916					11	2			3				2		6	2	0.5	2	3						3	0	0	
031016					1						1						1								0	0	1	
031516					3	10			3	9					1		1		1	4		1			1	0	0	
031616					3	9			3	9							1			4					0	0	0	
031716					4	10			2	8			1	2	1		1			1		1			0	0	0	
032216					5	9			5	9							1			2					0	0	0	
032316					2	7			2	6			1				1	0.5							0	0	0	
032416					1	13			1	13							1			2					0	0	0	
032816					4	10			3	10					1		1	0.5	1	5					1	0	0	
032916					5	13			2	11			2	3			1		2	5					2	0	0	
033016					5	16			3	7			2	9			1		3	4					3	0	0	
033116					4	10			4	8				2			1		1	2					1	0	0	
																										0	0	0
<b>Total</b>	0.00	0	0.00	0	0	60	131	0	33	105	1	0	5	18	21	8	14	8.75	12	35	0	6	0.00	0.00	12	0	1	

South-Inspections, citations, other contacts and warrants =South 131 calls for service.

CDBG-Inspections, citations, other contacts and warrants =CDBG 60 calls for service.



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Department of Public Works Engineering

**DATE:** April 13, 2016

**TO:** Honorable Chairman and Public Utility Authority Members

**FROM:** Cynthia M. Herrera, MMC, Executive Director/ City Clerk

**BY:** Aaron Mower, Assistant Engineer

---

**SUBJECT:** Monthly Commercial & Residential Water Report- February 2016

---

**ATTACHMENTS:**

1. APUA Monthly Report Water System February 2016



# Adelanto Water System

## Monthly Asset Management Report

prepared for the City of Adelanto, California



March 17, 2016

Mr. Nathan Coapstick  
Public Works Project Coordinator  
11600 Air Expressway  
Adelanto, CA 92301

11780 Air Expressway  
Adelanto  
California 92301  
Office 760.246.2300  
www.percwater.com

**RE: February 2016; ADELANTO WATER SYSTEM ASSET MANAGEMENT REPORT**

Dear Mr. Coapstick,

Enclosed is the Adelanto Water System Asset Management Report. PERC Water's intention is to inform the City of Adelanto, California of how the water system has been performing each month.

In today's service-oriented society, proactive customer service is sought to enhance future business growth. PERC Water is dedicated to the highest caliber of customer service with a sense of quality, timeliness and accuracy. However, if you have any inquiries, please do not hesitate to contact me at (760) 987-4655.

We look forward to continuing our services to you and the City of Adelanto, California.

Sincerely,

Victor M. Reid  
Water Superintendent  
PERC Water Corporation  
Asset Management Division

Cc: Nate Owen, VP, COO, PERC Water Corporation  
David A. Kachelski, Director of Operations, PERC Water Corporation

**February 2016**

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# Section A

## Executive Summary



## **EXECUTIVE SUMMARY**

The executive summary is a brief overview of the APUA water system, which includes water production, treatment, and distribution. Additional information can be found in more detail in other sections of this report.

The water system is maintained and operated by State Certified Treatment and Distribution Operators. Two Operators are on-call 24/7 and ready to respond to emergencies at the Water Utility System promptly within ten (10) minutes by phone and within thirty (30) minutes after receiving the call. Should the severity of the emergency require additional personnel all staff is available 24/7.

## **WATER OPERATIONS STAFFING**

David Kachelski – Area Operations Manager

Victor Reid – Water Superintendent

Ryan Jordan – Operator II (separated employment 2/17/2016)

Shaun Adams – Operator II

David Bowler – Operator II

David Hawkins – Operator I

Mat Folmar (started 2/22/2016)

Keegan Carrell – General Labor

**WATER PRODUCTION, DISTRIBUTION, & STORAGE**

Water Produced (Gallons)	81,363,000	Treated Water (Gallons)	64,819,000
Intertie Water Accepted	0	Booster Pumps in Service	9 of 15
Wells Running	4 of 10	Service Lines Replaced	1
Reservoirs in Service	6 of 6	Leaks Identified	10
Mainline Leaks	1	Meter Box Lid Replaced	3
Meter Change Outs	11	Compliance Issues	0
Curb/Angle Stops Replaced	6	Repaired Fire Hydrants	0
Annual Backflow letters sent	20	City BackFlow Devices Repaired	0
City Back Flow Devices Tested	6	Pressure Concerns	4
Air Vacuum Releases Serviced	0	Hydrants Flushed	0
Power Failures	0	Reportable Injuries/Accidents	0
Security Issues	0	USA Line Locates	103

## BILLING & CUSTOMER SERVICE

Turn ONs	118	Turn OFFs	74
Meters Read		Re-Read	12
OFFs for Repairs	0	Pulled Meters	1
Brown Water Complaints	0	After Hours Emergency Call Outs	0
Residential Gallons/Capita/Day		% Residential Usage	
Water Quality Calls	4	Certificate of Occupancy	0
Meter Sales	0		

**ORDINANCE NO. 546**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ADELANTO APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ADELANTO AND THE GEO GROUP, INC. FOR DEVELOPMENT OF THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF HOLLY ROAD AND KOALA ROAD IN INDUSTRIAL PARK 3**

**WHEREAS**, the State Planning and Zoning Law, Govt. Code section 65864 *et seq.*, permits cities to enter development agreements for the purpose of providing certainty to the development process and to provide a mechanism by which the City and developers can voluntarily agree to the provision of certain facilities and payments in furtherance of development; and

**WHEREAS**, The GEO Group, Inc., which has a legal and equitable interest in the real property more particularly described in Exhibit "A" to the draft development agreement attached hereto as Exhibit "A", desires to enter into such development agreement covering such real property in connection with its applications to construct and operate a 1,000 bed detention/correctional facility on 22.16 acres of land (the "Project"); and

**WHEREAS**, the City of Adelanto, as lead agency, determined that the project qualifies as exempt under section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act as the project is covered under the approved EIR for Industrial Park 3; and

**WHEREAS**, the Environmental Determination reflects the independent judgment of the City Council of the City of Adelanto and is deemed adequate for purposes of making decisions in the merits of the Project; and

**WHEREAS**, in accordance with State law, on March 23, 2016, for first reading and April 13, 2016 for second reading, the City Council conducted duly noticed public hearings on the Project, reviewed and considered the Project, comments submitted, information presented by City staff and public testimony regarding the Project.

**THE CITY COUNCIL FOR THE CITY OF ADELANTO DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The City Council finds that a public hearing has been held before this City Council pursuant to the procedures described in Government Code section 65867. At the hearing, the City Council has considered testimony presented by the public and the Planning Commission's consideration of the Development Agreement between the City of Adelanto and The GEO Group, Inc., ("Development Agreement"). The applicant has testified in writing prior to the meeting and at the meeting that it is in favor of the Development Agreement.

**SECTION 2.** The City Council hereby finds that the Development Agreement between the City of

Adelanto and The GEO Group, Inc.:

A. Is consistent with the objectives, policies, general land uses, and programs specified in the General Plan; and

B. Is compatible with the uses authorized in, and the regulations prescribed for, the zoning district in which the real property is and will be located, and is consistent with the City's Zoning Code; and

C. Is in conformity with and will promote public necessity, public convenience, general welfare, and good land use practices; and

D. Will be beneficial to the health, safety, and general welfare; and

E. Will not adversely affect the orderly development of property or the preservation of property values; and

F. Will promote and encourage the development of the proposed project by providing a greater degree of requisite certainty.

**SECTION 3.** The City Council hereby approves the Development Agreement in the form attached hereto as Exhibit "A", and incorporates the Development Agreement herein by this reference. Within ten (10) days after this Ordinance takes effect, the City Council shall execute the Development Agreement.

**SECTION 4.** Within ten (10) days after the execution of the Development Agreement by all parties, the City Clerk is directed to record the Development Agreement pursuant to the requirements of Government Code section 65868.5.

**SECTION 5.** The City Clerk shall certify to the passage and adoption of this Ordinance.

**SECTION 6. ENVIRONMENTAL DETERMINATION:** The City Council finds that the proposed Development Agreement and project is considered exempt under Section 15162 (Subsequent EIR's and Negative Declarations), as the project is covered under the approved EIR for Industrial Park 3, in accordance with the guidelines set forth by the California Environmental Quality Act for the proposed Development Agreement and project.

**SECTION 7. EFFECTIVE DATE:** This Ordinance shall be in full force and effect thirty (30) days after adoption.

**SECTION 8. POSTING:** The City Clerk shall cause this Ordinance to be posted in at least three public places designated by resolution of the City Council, shall certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting to be entered into the BOOK of ORDINANCES of the City of Adelanto.

PASSED, APPROVED AND ADOPTED this 23<sup>rd</sup> day of March 2016.

---

Rich Kerr  
Mayor of the City of Adelanto

---

Cindy Herrera, MMC  
City Clerk

APPROVED AS TO FORM:

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City Attorney

I, Cindy Herrera, City Clerk of the City of Adelanto, California, do hereby certify that the foregoing Ordinance No. 546 was duly introduced for first reading on the 23<sup>rd</sup> day of March, 2016 and regularly adopted at a regular meeting of the City Council of the City of Adelanto on this 13<sup>th</sup> day of April 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on this 13<sup>th</sup> day of April 2016.

---

Cindy Herrera, MMC  
City Clerk

SEAL



## CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

**DATE:** April 13, 2016

**TO:** Honorable Mayor and City Council Members

**FROM:** Cynthia M. Herrera, MMC, City Manager/ City Clerk

**BY:** Belen Cordero, Conservation Specialist/Recycling Coordinator

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**SUBJECT:** MONTHLY COMMERCIAL & RESIDENTIAL SOLID WASTE & RECYCLING REPORT-  
FEBRUARY 2016

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**ATTACHMENTS:**

1. Burrtec's monthly commercial & residential solid waste & recycling report February 2016



# **BURRTEC**

**WASTE INDUSTRIES, INC.**

*"We'll Take Care Of It"*

March 18, 2016

Ms. Belen Cordero  
City of Adelanto  
11600 Air Expressway - P.O. Box 10  
Adelanto, CA 92301

Re: Monthly Commercial & Residential Report – February 2016

Dear Ms. Cordero:

The following information is provided as the monthly report for the solid waste and recyclables collection services:

**Solid Waste Collected**

Attached is a copy of the Waste Generation and Diversion Report, which provides a breakdown of the tonnage, collected by commodity type. Additional information based on program code and AB939 reporting format is also included.

The recycling tonnage is received and processed at the Victor Valley Material Recovery Facility. A detailed commodity breakdown by customer type is included. The solid waste is taken to the Victorville Landfill.

**Call Logs**

Attached are the detailed call logs.

Compliments	0
Complaints	0
Missed pick-ups	6

**Used Oil Collection Activity**

AVCO Disposal provides a used oil collection program. Under this program, participating residents have their used oil and oil filters collected at curbside. The following summarizes the used oil and oil filters collection activity.

Oil Container Deliveries	0
Used Oil Collection	0

**Sharps Container Activity**

AVCO Disposal provides a used Sharps container distribution program. Under this program, participating residents may exchange their used containers for a new container at the AVCO facility and can also drop off used Sharps containers at the new site located at City Hall.

Sharps Container Distribution	11
Used Sharps Container Collection	15

**Universal Waste & E-Waste Collections**

Universal waste includes such items as batteries, fluorescent lamps, and mercury thermostats among others. Electronic waste or E-waste includes such items as computer monitors, television sets, stereos, etc. The following summarizes the Universal Waste and E-waste residential collections:

Televisions	63
Other (Microwaves, Refrigerators, Washer/Dryers, etc.)	62

**Warning Notices**

No warning notices were issued during the month.

**Problems Encountered**

No problems were encountered.

**Other Noteworthy Items**

**Bulky Item Collections:** During the month we received 228 calls for bulky-item pick-ups, including: end tables, cabinets, desks, beds, mattresses, entertainment centers, BBQs, cribs, bookcases, and recliners. A detailed report of the bulky items collection calls is attached.

**Commercial Recycling**

Burrtec provided a 3-yard recycling bin to collect materials from the Mavericks Adelanto Grand Prix that was held January 15-17, 2016. Victor Valley MRF completed a visual inspection (photos enclosed) and weighed the load per City's request.

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



Richard Niño  
Vice President

/sr

**SOLID WASTE COLLECTED**

**Waste Generation and Diversion Report**  
January\_2016

Route Description	Refuse	Recycling	E-waste	Tires (Transformation)	Tin/White Goods	Scrap Metal	Inert	Transformer	Comm'l Select	Total Tonnage Generated
Residential Total	686.90	167.77	-	-	-	-	-	-	0.08	854.75
Christmas Tree Total	-	5.21	-	-	-	-	-	-	-	5.21
Bulky Item Total	10.99	-	0.85	-	2.34	-	-	-	-	14.18
Clean Up Total	-	-	-	-	-	-	-	-	-	-
Multi-Family Total	110.90	6.80	-	-	-	-	-	-	-	117.70
Residential Bin Total	4.11	-	-	-	-	-	-	-	-	4.11
Commercial Total	291.57	44.79	-	0.40	-	1.48	1.25	0.25	-	339.74
Rolloff Total	391.52	-	-	-	-	-	-	-	1.43	392.95
<b>Grand Total</b>	<b>1,496.99</b>	<b>224.57</b>	<b>0.85</b>	<b>0.40</b>	<b>2.34</b>	<b>1.48</b>	<b>1.25</b>	<b>0.25</b>	<b>1.51</b>	<b>1,728.64</b>

(a)

Diverted Tonnage	Residue %	Residue Tons	Net Tonnage Diverted
Residential Recycling	33.62%	56.40	111.37
Christmas Trees	0.00%	-	5.21
Res'd'l Recycling- External Bulky	0.00%	-	3.19
Residential Select Loads	35.00%	0.03	0.05
Multi-Family Recy	30.32%	2.06	4.74
Commercial Recycling	30.32%	13.58	31.21
Commercial Transformation	0.00%	-	0.25
Commercial-Other Recycling	0.00%	-	3.13
Rolloff Select Loads	35.00%	0.50	0.93
<b>Total Diverted Tonnage</b>		<b>72.57</b>	<b>160.08</b>

(b)

CIWMB Program	Refuse	Recycling	Transformation	Special Waste - 4000 Series	Facility Recovery	7000 Series	Net Tonnage Diverted
2000 Series	-	224.57	0.85	0.40	0.25	1.51	232.55
8000 Series	-	-	-	-	-	-	-
CIWMB Program-Code	-	-	-	-	-	-	-

(c)

Net Diversion	Residential	Multi-Family	Commercial	Rolloff
9.26%	13.71%	4.03%	10.06%	0.24%

(e)

Gross Diversion %	Residential	Multi-Family	Commercial	Rolloff
13.48%	20.16%	5.78%	14.01%	-0.36%

**Reconciliation of Tonnage to CIWMB Report:**

Total refuse generated	1,495.99	(a)
Total residue	72.57	(b)
Total Refuse	1,568.56	
Net Tonnage Diverted	160.08	(e)
Total Reported	1,728.64	
Total special waste	5.07	(c)
Commercial MRF credit for diversion only		(d)

VICTORVILLE DISPOSAL  
CITY OF ADELANTO

CWM/B	Program Code	Description	Jan-16	Y-T-D
		<b>Public Education &amp; Outreach</b>		
	5000-ED-ELC	Electronic (radio, TV, WWW, Hotlines)		0.00
	5010-ED-PRN	Printed Media		0.00
	5020-ED-OUT	Outreach (workshops, fairs, field trips)		0.00
	5030-ED-SCH	Other Public Education		0.00
	5040-ED-OTH	Other Public Education		0.00
		Public Education & Outreach Totals	0.00	0.00
		<b>Policy Incentives</b>		
	6000-PI-PLB	Product & Landfill Bans		0.00
	6010-PI-PEIN	Economic Incentives		0.00
	6020-PI-ORD	Ordinances		0.00
	6030-PI-OTH	Other Policy Incentives		0.00
		Public Education Totals	0.00	0.00
		<b>Facility Recovery</b>		
	7000-FR-MRF	Material Recovery Facility	0.98	0.98
	7010-FR-LAN	Landfill		0.00
	7020-FR-TST	Transfer Station		0.00
	7030-FR-CMF	Composting Facility		0.00
	7040-FR-ADC	Alternate Daily Cover		0.00
	7050-FR-OTH	Other Facility Recovery		0.00
		Facility Recovery Totals	0.98	0.98
		<b>Transformation</b>		
	8000-TR-WTE	Waste-to-Energy	0.25	0.25
	8010-TR-WDW	Biomass (wood waste)		0.00
	8020-TR-TRS	Tires	0.40	0.40
	8030-TR-OTH	Other Transformation		0.00
		Transformation Totals	0.65	0.65
		<b>Household Hazardous Waste</b>		
	9000-HH-PMF	Permanent Facility		0.00
	9010-HH-MPC	Mobile/Periodic Facility		0.00
	9020-HH-CSC	Curbside Collection		0.00
	9030-HH-WSE	Waste Exchange		0.00
	9040-HH-EDP	Educational Programs		0.00
	9045-HH-EWA	Electronic Waste	0.85	0.85
	9050-HH-OTH	Other Household Hazardous Waste		0.00
		HHW Totals	0.85	0.85
		<b>All Programs Total</b>	<b>160.08</b>	<b>160.08</b>
		<b>Total Refuse</b>	<b>1,568.56</b>	<b>1,568.56</b>
		<b>Total Tonnages Generated</b>	<b>1,728.64</b>	<b>1,728.64</b>
		<b>Multi Family Net Diverted Tonnage</b>		
	2030-RC-OSP	Multi Family Curbside Recycling	4.74	4.74
	3020-CM-COG	Multi Family Curbside Greenwaste	0.00	0.00
	7000-FR-MRF	Multi Family Material Recovery Facility	0.00	0.00
		Residential Bin Net Diverted Tonnage		
	2030-RC-OSP	Residential Bin Curbside Recycling	0.00	0.00
	3020-CM-COG	Residential Bin Curbside Greenwaste	0.00	0.00
	7000-FR-MRF	Residential Bin Material Recovery Facility	0.00	0.00
		<b>Oil Waste (in Gallon)</b>		
	9010-HH-MPC	Mobile/Periodic Facility	0.00	0.00

## **CALL LOGS**

**CITY OF ADELANTO MISSED PICK-UPS  
FEBRUARY 2016**

<b>CUST #</b>	<b>WO ID</b>	<b>STR #</b>	<b>SERVICE ADDRESS</b>	<b>DATE</b>	<b>SERVICE NOTES</b>
30223	47732	11689	OXFORD CT	02/23/16	SERVICE 1 65 RECYCLE WAS NOT SERVICED. CUSTOMER UPSET PER BEATRIZ 818-381-1228.
32331	47566	10411	BUCKBOARD CIR	02/22/16	SERVICE TRASH - CLAIMS MISSED FRIDAY MONA 760-530-0008.
42277	47113	11402	LA PAZ CT	02/18/16	SERVICE 1 60 GREEN BARREL CLAIMS MISSED PRISCILLA 760-987-8809
54466	47827	14315	SIERRA GRANDE ST	02/23/16	SERVICE WHOLE STREET
57860	45610	14276	SOLTERRA LN	02/09/16	SERVICE 1 95 GREEN BARREL PER LACY MORALES 909-374-5839
58851	45616	14291	PURPLE CANYON RD	02/09/16	SERVICE 2 60 GREEN BARRELS PER SHAWANDA 323-559-7785

**CITY OF ADELANTO COMPLIMENTS  
FEBRUARY 2016**

**WO ID    STR #    SERVICE ADDRESS    DATE    SERVICE NOTES**

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NONE TO REPORT

**CITY OF ADELANTO COMPLAINTS  
FEBRUARY 2016**

**WO ID   STR #   SERVICE ADDRESS   DATE   SERVICE NOTES**

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NONE TO REPORT

## **BULKY PICK UPS**

**CITY OF ADELANTO BULKY ITEM PICK-UPS  
FEBRUARY 2016**

WO ID	STR #	SERVICE ADDRESS	DATE	SERVICE NOTES
43949	11350	ADDISON ST	02/01/16	3 COUCHES, MATTRESS, BED FRAME PER JAIME 818-221-7883
43190	11370	CAMBRIDGE ST	02/01/16	COUCH
44127	11679	CORNELL ST	02/01/16	MATTRESS, LARGE CHAIR, ROLL OF CARPET, SCREEN DOOR, ROLL OF ROOFING PAPER
44024	11702	CORNELL ST	02/01/16	DESK, ENTERTAINMENT CENTER, RECLINER, DRESSER W/ MIRROR PER MARYANN 760-530-9618
44053	14335	IVY ST	02/01/16	4 TIRES, ENTERTAINMENT CENTER RODULFO 760-265-1090
43232	14355	IVY ST	02/01/16	2 MATTRESSES, BOX SPRING, HEADBOARD PER DUSTY 760-887-0478
43225	14337	SOLTERRA LN	02/01/16	DESK PER JANICE 760-712-5497
44034	11842	STAR ST	02/01/16	2 LAWN MOWERS
43908	11735	STOCKTON ST	02/01/16	MATTRESS
44402	14616	ALLISON ST	02/02/16	SOFA, LOVESEAT, AIR HOCKEY TABLE, DESK CHAIR. LINDA VARELA 760-524-0195
44312	11342	BENTLEY CT	02/02/16	DRYER, FREEZER, 2 TIRES NANCY HAYES 760-246-5928
43388	11538	DANIELLE DR	02/02/16	CHRISTMAS TREE LAURA ONEIL 909-561-9782
44296	14512	FOXGLOVE LN	02/02/16	MATTRESS. VALERIE 909-581-5334
44349	14564	IRWINDALE CIR	02/02/16	2 COUCHES ROWENA GALCIO 909-782-2382
44411	14454	JEREMIAH ST	02/02/16	MATTRESS, 2 NIGHTSTANDS PER EMILA 760-486-5892
43493	14634	KIMBERLY ST	02/02/16	3 CHAIRS, BEDRAILS, WHITE BOARD PER ADREE 760-927-9742
43726	11685	VILLA ST	02/02/16	2 COUCHES, 2 MATTRESS MARIA GARCIA 760-900-4828
43543	14828	WAKEFIELD DR	02/02/16	TABLE, 3 MATTRESSES, 4 BED FRAMES, HEADBOARD, FOOTBOARD /DARLENE- 909-571-5021
43257	14568	WILLOW CT	02/02/16	5 PIECE SECTIONAL COUCH
44463	10645	ALTON PL	02/03/16	2 COUCHES , BABY HIGH CHAIR , BABY WALKER, TOY PER TALA COFFIN 909-648-2652
44433	15043	DAISY RD	02/03/16	5 ROLLS PER PEDRO 213-434-3087
44457	11602	GREENE CT	02/03/16	COUCH, 2 HEADBOARDS TOMMIE SMITH 442-229-9087
44747	15056	MILFORD AVE	02/03/16	CHRISTMAS TREE
44335	10738	PERSHING ST	02/03/16	MATTRESS, 3 BOX SPRINGS. P/VICTOR- 4988391
43579	10777	PLAINFIELD ST	02/03/16	2 CABINETS, LOVESEAT, 2 TIRES AARON DECASAS 951-552-0606
44554	15054	RADFORD AVE	02/03/16	WATER HEATER P/SANDRA
44751	11554	RUSSET PL	02/03/16	2 HUTCHES SHELLY CAMPBELL 760-530-7188
45006	11817	AMANDA LN	02/04/16	BIKE, TV STAND, LAWN MOWER PER ODET
44635	11791	DANA DR	02/04/16	BED FRAME, BARSTOOL PER RITA 760-308-7088
44701	15747	DESERT PASS ST	02/04/16	2 MATTRESSES MIRNA LOPEZ 760-530-1268
44908	15757	DESERT ROCK ST	02/04/16	2 MATTRESSES ANGELA CASTRO 760-246-4077
44757	15763	DESERT ROCK ST	02/04/16	COUCH PER PEDRO CHAVEZ 760-486-6863
44285	15850	MCVAY LN	02/04/16	COUCH AND MATTRESS PER TRAVIS 909-292-5234
44826	19032	PANTHER AVE	02/04/16	LARGE CONSTRUCTION HOSE PER MARIA QUEVEDO 441-242-4570
44561	11600	WINTER PL	02/04/16	COFFEE TABLE, FISH TANK STAND & TOP. PER TRINA 562-234-4051
44847	11157	CHAPARRAL AVE A-B	02/05/16	4 LARGE CARDBOARD BOXES P/RUBIN- 760-508-8655
44151	17815	CROWLEY ST	02/05/16	2 COUCHES, 2 MATTRESSES P/CANDICE- 760-810-5924
44939	10448	HIGH MESA ST	02/05/16	MATTRESS, 2 BUNK BED FRAMES FOR JOANNA JAMES 760-577-3688

**CITY OF ADELANTO BULKY ITEM PICK-UPS  
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<b>WO ID</b>	<b>STR #</b>	<b>SERVICE ADDRESS</b>	<b>DATE</b>	<b>SERVICE NOTES</b>
45170	10473	JASPER CT	02/05/16	SWAMP COOLER, 4 BUNDLES WOOD FENCING PER JAMES
44313	17963	KENDALL CIR	02/05/16	2 NIGHT STANDS. BUSH, 2 EMPTY PLASTIC CONTAINERS SONYA WATKINS 626-807-3379
45067	11754	LEE AVE	02/05/16	DOG HOUSE, HEADBOARD, 2 MIRRORS, POOL LADDER, 2 KIDS DRESSERS, TIRE, COUCH CUSHION, BABY CAR SEAT, RUG
44263	18450	RIEMAN ST	02/05/16	COUCH, 3 BUNDLES OF WOOD P/ANGELA- 760-927-9335
44595	10438	RODEO CIR	02/05/16	CRIB, MATTRESS, 2 DRESSERS PER MARTHA 760-561-2952
44273	10412	STAGE COACH DR	02/05/16	SECTIONAL COUCH, 2 MATTRESSES, PLAYPEN TANICKIA ANDERSON 760-998-9947
45255	17980	VERBENA RD	02/05/16	2 COUCHES RAMONA 760-867-5164
44833	11350	ADDISON ST	02/08/16	4 MATTRESSES, DRESSER PER JAIME 818-221-7883
44921	14368	BRITTLEBUSH DR	02/08/16	2 MATTRESSES, BBQ, 2 BUNDLES OF BRANCHES MAYAHUEL OLGUIN 626-221-6576
45077	11652	CORNELL ST	02/08/16	2 SOFAS, MATTRESS, TABLE FRAME, BED FRAME
44287	14213	HIGH POINT CT	02/08/16	2 COUCHES, 3 MATTRESSES. P/MARIBEL- 760-524-7379
44291	14334	SIERRA GRANDE ST	02/08/16	MATTRESS. JESUS 818-433-8656
44421	14288	VINCENT WAY	02/08/16	MATTRESS, RECLINER SHARON CASTELLANOS 323-346-9539
45511	14527	AGAVE WAY	02/09/16	2 CARTS, MATTRESS, COUCH PER ANTONIA CHANVEZ 424-243-1556
44534	14599	AGAVE WAY	02/09/16	DRESSER, 2 SPEAKER BOXES, BASINET, WALKER, TOY CAR, CAR SEAT, POOL BUNDLED, BIKE DESHAWN WILLIAMS 909-745-0808
45548	14617	ALLISON ST	02/09/16	PLASTIC STORAGE CONTAINER, LARGE BOX. DEBRA GODBEY 760-953-4122
45562	14514	CLYDESDALE ST	02/09/16	COUCH ARIANA 760-964-1948
45421	14644	GRAY ST	02/09/16	2 COUCHES P/LISA- 2463699
44624	14558	IRWINDALE CIR	02/09/16	2 MATTRESSES PER ALMA MONRRELL 951-990-2791
45376	14634	KIMBERLY ST	02/09/16	DESK, FAN, BUNDLE OF CARDBOARD
45373	14591	MONTEREY PL	02/09/16	MATTRESS, BOX SPRING, 2 COUCHES, DRESSER JENNIFER 760-694-0980
45713	10767	BONANZA RD	02/10/16	REFRIGERATOR, HEADBOARD, METAL RAILS
45743	11039	CONTINENTAL CT	02/10/16	LOVESEAT ADAM MOORE 760-246-1893
45274	11082	CONTINENTAL CT	02/10/16	FREEZER HC WASHINGTON 760-559-2678
45768	10832	E WAKEFIELD ST	02/10/16	COUCH, TABLE VALINDA CROCKETT 760-523-1205
45420	15157	IVY CT	02/10/16	3 MATTRESSES, BED FRAME, BASKETBALL HOOP PER BOBBI RANDY 760-887-9138
45704	15036	LEXINGTON ST	02/10/16	RECLINER, COUCH PER SANDY 626-780-9148
45632	18717	ARBOR CT	02/11/16	WASHER, DRYER, FRIDGE YOLANDA 661-382-2468
45418	11542	CHARM LN	02/11/16	BOX SPRING, 3 CHAIRS, BUNDLE OF CARDBOARD EMILY 909-634-0321
45596	11791	DANA DR	02/11/16	MATTRESS, BOX SPRING, COUCH, CHAIR, DISHWASHER RITA KNUDSON 760-308-7085
46023	19015	DENNIS ST	02/11/16	4 MATTRESSES, BOX SPRING AMANDA 760-246-5846
45526	11713	DESERT GLEN ST	02/11/16	TABLE IN PIECES P/JULIE- 760-523-1324
45725	11785	GALEWOOD ST	02/11/16	DRESSER, 2 CHAIRS, BOX SPRING, BED FRAME CARMEN SAMBRANO 760-246-8069

**CITY OF ADELANTO BULKY ITEM PICK-UPS  
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WO ID	STR #	SERVICE ADDRESS	DATE	SERVICE NOTES
45032	15616	KEARNY DR	02/11/16	2 CABINETS PER NORRIS 760-669-2999
45678	19021	MUSKRAT AVE	02/11/16	COOLER, 2 TIRES. ANA SAMBRANO 760-246-4929
46057	15450	ROSS DR	02/11/16	3 MATTRESSES, HEADBOARD, 2 RECLINERS, 2 PIECE COUCH SET, WOOD PLATFORM CHRISTIE MARTIN 760-617-0192
45289	10906	INCA AVE	02/12/16	BBQ, 2 CHAIRS, 2 METAL BED RAILS P/WAYNE
45577	17963	LONDON CT	02/12/16	2 ENTERTAINMENT CENTERS, TABLE, BASKETBALL COURT SHADENA CABBELL 424-521-5015
46079	12020	LEE AVE A-B	02/12/16	COUCH, 2 DOORS, 2 TIRES
45744	17838	MONO CT	02/12/16	COUCH, SAND BOX, KIDS CAR, BUMPER, FREEZER PER HECTOR 760-646-7493
45659	10478	PEACH CT	02/12/16	SECTIONAL COUCH FOR YESENIA 760-881-8038
46273	10450	PONY EXPRESS DR	02/12/16	REFRIGERATOR JAVIER 760-524-6863
46031	10401	RODEO CIR	02/12/16	RECLINER P/JUNE
46316	11845	YATES AVE	02/12/16	COUCH, 4 ROLLS OF CARPET LAVONDA GREAM 760-246-8176
45944	11350	ADDISON ST	02/15/16	STOVE, REFRIGERATOR, CRIB, MATTRESS, TABLE, KIDS CAR PER JAIME 818-221-7883
45685	11203	ADDISON ST	02/15/16	CHAIR, MIRROR, HEADBOARD, COUCH, DOG HOUSE PER MARIA 760-246-4249
45798	11422	BRISTOL CT	02/15/16	MATTRESS, 3 TV STANDS DETMAINE 760-498-9599
46430	10438	CARMEN ST	02/15/16	MATTRESS, 2 BOX SPRINGS PER BARBARA 760-442-1015
45567	10450	CARMEN ST	02/15/16	2 MATTRESS,2 COUCHES. ROCENDO VASQUEZ 562-652-4544
45618	14489	CLEMSON CT	02/15/16	MATTRESS, BOX SPRING, BABY SWING, BOX SPRING JUANITA DELAROSA 760-605-8501
46003	10840	FLORAL ST	02/15/16	3 COUCHES, TABLE PER TIFFANY TYSON 909-441-8956
46164	10840	GATES ST	02/15/16	COUCH PER KROLL 760-987-1114
46354	14251	IVY ST	02/15/16	DRESSER, BED FRAME, LARGE FAN, CD SHELF PER JUAQUIN 760-694-4408
46106	14377	IVY ST	02/15/16	3 MATTRESSES, ROCKING CHAIR..CANDICE CHALLONER 760-530-7517
46370	11816	NEHMANS WAY	02/15/16	3 MATTRESSES, DRAWER PER MODESTO GOMEZ 760-985-4460
45617	14291	PURPLE CANYON RD	02/15/16	TABLE, 4 CHAIRS SHAVONDA 323-559-7785
46143	14186	PURPLE CANYON RD	02/15/16	2 BUNDLES OF WOOD, CABINET, FAKE CHRISTMAS TREE, VACUUM
46022	14312	SAVANNA ST	02/15/16	COUCH P/DONZELL- 760-532-2176
46282	14301	SAVANNA ST	02/15/16	2 COUCHES, DRESSER
45386	14392	SIERRA GRANDE ST	02/15/16	5 ROLLS OF CARPET
45466	11724	TAYLOR ST	02/15/16	2 DRESSERS, 4 BIKES BENJAMIN - 562-216-5120
45748	14460	YALE CT	02/15/16	COUCH, SWAMP COOLER, TOTE PER MANUEL 760-885-7420
46324	14517	INDIAN PAINTBRUSH RD	02/16/16	MATTRESS FOR EDDIE HERRERA 760-514-5684
46745	14454	JEREMIAH ST	02/16/16	CAR BUMPER, OTTOMAN EMILIA 760-486-5892
46063	14837	SANDSTONE ST	02/16/16	COUCH, RECLINER, MATTRESS, BOX SPRING. P/ANGELA
46755	14829	SANDSTONE ST	02/16/16	MATTRESS, BOX SPRING, CHRISTMAS TREE. BALTEJ GREWAL 760-951-3838
46452	14747	SNAPDRAGON LN	02/16/16	DOLL HOUSE

**CITY OF ADELANTO BULKY ITEM PICK-UPS  
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<b>WO ID</b>	<b>STR #</b>	<b>SERVICE ADDRESS</b>	<b>DATE</b>	<b>SERVICE NOTES</b>
46690	11078	TAMARISK RD	02/16/16	SLEEPER SOFA, BED FRAME, TABLE BROKEN DOWN. MONICA JONES 760-684-5274
46604	10578	THORNDALE ST	02/16/16	2 MATTRESSES, 2 BOX SPRINGS PER LAURA 818-403-9181
46974	10694	ALTON PL	02/17/16	AIR HOCKEY TABLE
45684	10697	ALTON PL	02/17/16	5 BUNDLES OF SHRUBS/TREE BRANCHES (NO MORE THAN 4FT LONG/40 LBS) TANYA 760-246-7684
46919	10698	BONANZA RD	02/17/16	4 DRESSERS PER LAURA 760-680-5997
46821	10767	BONANZA RD	02/17/16	5 BUNDLES OF WOOD
46802	11203	CHARLESTON ST	02/17/16	2 COUCHES
46830	10599	CHESTERFIELD ST	02/17/16	2 MATTRESSES, 2 BOX SPRINGS, HEADBOARD, FOOTBOARD, BUNDLE OF SIDEBOARDS, BOTTOM BED FRAME BRIANNA CAMBELL 760-508-3554
46552	10350	COLUSA RD	02/17/16	RECLINER
46900	15111	DESERT ST	02/17/16	3 COUCHES ROSEMARY CISNEROS 760-987-4480
46880	10753	E WAKEFIELD ST	02/17/16	2 MATTRESSES, CHAIR, DISHWASHER PER DAVID 760-508- 1234
46738	11580	ENGLISH CT	02/17/16	REFRIGERATOR ANDREW 727-470-5003
46853	15068	HENDERSON ST	02/17/16	2 MATTRESSES, ISABEL 760-530-5609
46193	11204	HYATTSVILLE ST	02/17/16	3 BOX SPRINGS, 2 DESKS P/VELMA
46984	15151	IVY CT	02/17/16	3 PIECE ENTERTAINMENT CENTER, AND 2 DOORS
46548	10648	JOSHUA ST	02/17/16	2 MATTRESSES, 3 ROLL OF CARPETS, DANIEL 760-475- 1307
46827	10669	MELODY PL	02/17/16	MATTRESS, REFRIGERATOR
46614	15036	MILFORD AVE	02/17/16	FAKE CHRISTMAS TREE. WARREN BELL 470-558-6013
46932	10758	PERSHING ST	02/17/16	TOILET, WOOD
46375	14815	PROVIDENCE RD	02/17/16	MATTRESS, RECLINER
47094	11827	BROAD OAK CT	02/18/16	DRESSER, MATTRESS, 2 BOX SPRINGS, BARSTOOL. CASEY MANNING 760-263-4225
47020	11791	DANA DR	02/18/16	CAR BUMPER, WOOD STAND, MIRROR, CRADLE FRAME, WASHER P/RITA- 760-308-7085
46929	19031	DENNIS ST	02/18/16	MATTRESS, 2 SOFAS, CHAIR, PATIO
47100	15780	DESERT PASS ST	02/18/16	BACK MACHINE, 3 ROLLS OF CARPET
47058	11785	GALEWOOD ST	02/18/16	COUCH, 3 DRESSERS PER CARMEN 760-246-8069
46659	11736	HIGHGROVE CT	02/18/16	MATTRESS, BOX SPRING, HEADBOARD, FOOTBOARD, BUNDLE OF SIDEBOARDS, COMPUTER STAND. 2 PLASTIC CONTAINER STORAGE SOPHIA 310-901-4560
46390	15453	KEARNY DR	02/18/16	OFFICE CHAIR PER JENNIFER
47076	10457	NAPA RD	02/18/16	2 BED FRAMES, BBQ PER MARIO 760-246-6978
47184	11720	PORTOLA CT	02/18/16	METAL CHAIR, STACK OF PLANTERS, BIKE, SCOOTER. AMY NAY 760-596-6325 OR 760-523-1500
46775	15412	ROSS DR	02/18/16	DOOR
46278	18536	SONOMA RD	02/18/16	WASHER, 2 TIRES, COUCH, BACK SEAT TO A TRUCK MONICA 760-246-6205
46107	14984	STRAWBERRY LN	02/18/16	SWAMP COOLER, BICYCLE ARLENE ROCHA 760-523-1603
47071	11365	WINTER PL	02/18/16	MATTRESS, BOX SPRING, SECTIONAL COUCH, SHELF WITH MIRROR FOR JEANETTQA ACOSTA 760-954-9496
47276	18478	ADELANTO RD	02/19/16	2 COUCHES, 2 KIDS CARS, STROLLER PER IRMA 760-261- 1746
47144	17710	CARSON CIR	02/19/16	2 HEADBOARDS, BOX SPRING, WASHER GABRIEL VALDIVIA 562-999-6313

**CITY OF ADELANTO BULKY ITEM PICK-UPS  
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WO ID	STR #	SERVICE ADDRESS	DATE	SERVICE NOTES
47096	17768	CARSON CIR	02/19/16	COUCH, DRESSER, WATER TANK, 2 STROLLERS PER GREGORY THOMPSON 760-605-8714
47346	11568	CHAMBERLAINE WAY	02/19/16	4 KIDS STROLLERS, CHAIR. P/ERIC
47024	18260	JONATHAN ST	02/19/16	2 COUCHES, TABLE P/ALEJANDRA - 760-530-2111
47231	11611	LEE AVE	02/19/16	2 COUCHES ELIZABETH GODDARD 760-220-0642
47299	10438	PONY EXPRESS DR	02/19/16	MATTRESS, 2 FOOTBOARD, 2 HEADBOARDS FOR JANTA BARLOW 424-296-951
47317	10446	PONY EXPRESS DR	02/19/16	WASHER, DRYER, REFRIGERATOR, AIR CONDITIONER EVANGELINA 760-246-5041
47460	11380	CAMBRIDGE ST	02/22/16	2 CHAIRS, 2 PIECES OF A HEADBOARD
46668	14982	CARROLTON ST	02/22/16	COUCH
47110	14478	COLUMBIA CT	02/22/16	2 MATTRESSES TANISHA MACKLIN 760-246-5773
46844	11721	CORNELL ST	02/22/16	3 COUCHES, SINK, WATER HEATER *MONICA*323-535-0692
46501	11331	DARTMOUTH CT	02/22/16	2 COUCHES, 3 MATTRESSES PER CYNTHIA HENSON 858-248-4338
46921	10832	HICKORY ST	02/22/16	ELLIPTICAL, TABLE, DOG DOOR, CHAIR, CLOSET DOOR TRACK. ROBERT DIEPPA760-220-1286
47446	14333	PRINCETON CT	02/22/16	SHELF, CHINA CABINET, SWAMP COOLER
47438	14390	PRINCETON CT	02/22/16	2 PIECES OF PLASTIC FENCE
47376	14359	SAVANNA ST	02/22/16	MATTRESS, BOX SPRING, DOGHOUSE, CHAIR, TIRE
47361	14439	SIERRA GRANDE ST	02/22/16	6 COUCHES, MATTRESS, BOX SPRING, CANOPY
46887	14262	SOLTERRA LN	02/22/16	KIDS BIKE, POOL FILTER, LARGE STORAGE CONTAINER PER ELLEN HENRY 310-489-3190
46674	11755	STAR ST	02/22/16	REFRIGERATOR
46628	15250	STONE ST	02/22/16	BOX SPRING, 2 BIKES JOSE 626-780-2775
46797	11776	WALLFLOWER CT	02/22/16	2 LARGE CARDBOARD BOXES P/ROBERT
47486	11848	WALLFLOWER CT	02/22/16	2 COUCHES, MATTRESS LOSHONDA 760-605-5417
46769	11825	WOLCOTT ST	02/22/16	COUCH, DOOR, 2 TIRES P/JANET 626-987-1808
46915	14654	ALAN ST	02/23/16	10 ROLLS OF CARPET
47548	14531	BLUE SAGE RD	02/23/16	2 MATTRESSES, BOX SPRING JOSE ARZATE 909-994-6869
47589	14807	DELICIOUS ST	02/23/16	CHAIR, PALLET ANTHONY ANDERSON 760-905-4802
47492	11184	DESERT ROSE DR	02/23/16	WATER HEATER MARY SNYDER 760-530-1943
47768	11209	DESERT ROSE DR	02/23/16	2 LAMPS, 2 MATTRESSES, VACUUM PER FOUA 760-885-5420
47693	14617	KIMBERLY ST	02/23/16	2 MATTRESSES, DRESSER, 2 TOY CARS FOR PASCAL MARTINEZ 760--964-3911
46840	14559	PALO VERDE CT	02/23/16	3 MATTRESSES, 4 ROLLS OF CARPET MARIA AVILA 760-995-0766
47734	11030	SHERMAN WAY	02/23/16	3 TOILETS, SINK DIANA RIVERA 323-385-9966
47760	11332	STONEWALL CIR	02/23/16	WASHER, DRYER, MATTRESS, 2 CABINETS ANSOL 760-246-7980
46875	10620	THORNDALE ST	02/23/16	2 COUCHES, MATTRESS, BOX SPRING, ROLLED UP RUG, BRIANA PITTMAN 951-525-8882
47982	11222	ALEXANDRIA ST	02/24/16	RECLINER, KIDS BASKETBALL HOOP - MARIA LOPEZ 760-812-0053
47147	11433	ARLINGTON ST	02/24/16	5 MATTRESSES
47860	11386	ARLINGTON ST	02/24/16	DESK, FUTON FRAME, TABLE PER WELLINGTON 760-605-5927
47942	14959	CHRISTOPHER ST	02/24/16	BOX SPRING, 2 TIRES, FREEZER FELICA WINKLER 760-912-0455

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47895	14775	CYPRESS RD	02/24/16	MATTRESS
47813	14829	CYPRESS RD	02/24/16	2 MATTRESSES, HEADBOARD, DRESSER. P/BESSIE
47883	10553	E WAKEFIELD ST	02/24/16	2 COUCHES, CAT TREE, 2 SATELLITE DISHES REBECCA 951-907-9184
47724	10668	GRAYSON ST	02/24/16	2 CHAIRS, FUTON PER JOSEPH 562-676-1529
47319	15157	IVY CT	02/24/16	MATTRESS, BOX SPRING, BED FRAME, KIDS TOY CAR BOBBI RANDY 760-887-9138
47614	15064	MILFORD AVE	02/24/16	COUCH, HEADBOARD JOAN VERDUGO 760-246-2851
47946	10765	PEMBERTON ST	02/24/16	SOFA, 2 BOX SPRING, 2 MATTRESSES CHARLINE 760-867- 8027
47933	10787	PLAINFIELD ST	02/24/16	FISH TANK, TV STAND PER REGINA 909-226-3744
47095	11827	BROAD OAK CT	02/25/16	TV STAND, TABLE TOP, TODDLER BED FRAME. CASEY MANNING 760-263-4225
48113	11822	BROAD OAK CT	02/25/16	CAR BUMPER, 3 TIRES, STROLLER, METAL BED FRAME, 2 FANS, BUNDLE OF WOOD, PLASTIC CONTAINER SONNY- 626-863-2477
48200	15875	HORIZON WAY	02/25/16	GLASS TABLE, 3 BUNDLES OF WOOD, WASHER
48158	11722	LUPIN RD	02/25/16	TABLE, COUCH, DRESSER.. CHARLES 951-756-1323
47658	15563	MAVERICK DR	02/25/16	MATTRESS, DRESSER. GIDGET 626-272-7303
48167	11825	MAYWOOD ST	02/25/16	5 ROLLS OF CARPET GIOVANNI CRUZ 760-702-6340
48222	18891	MUSKRAT AVE	02/25/16	COUCH, 3 MATTRESSES, MARILYNN BENDER 760-246-4782
47969	19027	PANTHER AVE	02/25/16	2 BUNDLES PALM TREES P/JEAN
48192	11704	POPPY RD	02/25/16	2 DRESSERS, ROLL OF CARPET, ROLL OF PADDING, BED FRAME
47552	18602	SONOMA RD	02/25/16	BOX SPRING, MATTRESS, 2 SPEAKER BOXES, BUNDLE CARDBOARD P/KIKO-760- 905-1054
47600	11967	SPRING HILL CT	02/25/16	BED FRAME, WASHER, DRYER, 2 MATTRESSES, TABLE JOSE 909-754-0493
47816	11365	SPRING ST	02/25/16	MATTRESS, BOX SPRING, TABLE, 2 CHAIRS ANNA SAGURA 760-261-2607
48183	17813	BRIDGEPORT ST	02/26/16	3 COUCHES, LAMP ERNESTO BRISENO 760-881-9464
48458	10419	BUTTE ST	02/26/16	2 COUCHES, 3 CHAIRS ROCHELLE-760-493-0921
47931	18513	CASABA RD	02/26/16	MATTRESS, BOX SPRING PER BETTY 760-246-5342
47437	18039	DELICIOUS ST	02/26/16	COUCH, RECLINER, BED FRAME, MATTRESS, STOOL LISA 760-628-6182
47745	10448	HIGH MESA ST	02/26/16	3 MATTRESSES, VACUUM JOANNA JAMES 760-577-3688
48385	10384	KEMPER AVE	02/26/16	3 COUCHES, MATTRESS, BOX SPRING ERLINE JACKSON 760-246-2300
47902	10707	MARGIE PL	02/26/16	VACUUM, 2 CABINETS, SUIT CASE, CHEST/TRUNK, 3 CHAIRS, TABLE, REFRIGERATOR CHERYL BASINGER 909- 877-3577
48151	17871	STEVENS ST	02/26/16	2 COUCHES, 2 DRESSERS, MATTRESS
47712	18414	THOMAS CT	02/26/16	COUCH, 2 CHAIRS PER SHARON 760-987-3067
48424	17980	VERBENA RD	02/26/16	2 COUCHES, BATHTUB, DRESSER, 2 SHOWER DOORS P/RAMONA- 760-867-5164
47721	11940	WHITE AVE	02/26/16	COUCH. RAUL 760-553-3503
48118	11812	BEGONIA RD	02/29/16	COUCH, 3 CHAIRS
48438	11417	BRISTOL CT	02/29/16	2 COUCHES, EXERCISE BIKE PER BEATRIZ 760-677-1484.
48517	11784	CAMBRIDGE ST	02/29/16	WASHER, DRYER, 2 RUGS MARIA ZUBIATE 760-985-0152
48751	11824	CLIFFROSE CT	02/29/16	2 BUNDLES OF WOOD, 2 METAL BUNDLES

**CITY OF ADELANTO BULKY ITEM PICK-UPS  
FEBRUARY 2016**

<b>WO ID</b>	<b>STR #</b>	<b>SERVICE ADDRESS</b>	<b>DATE</b>	<b>SERVICE NOTES</b>
48394	11869	CLIFFROSE CT	02/29/16	COUCH, MATTRESS, DRESSER, BED FRAME PER PATRICIA 909-246-6534
48511	11554	CORNELL ST	02/29/16	MATTRESS, TOILET, BOX SPRING, REFRIGERATOR, WATER HEATER P/ASHLEY- 5084713
48095	11566	CORNELL ST	02/29/16	WHEEL BARREL, BOX SPRING, BED FRAME, AND DOOR PER CLAUDIA 760-246-6390
47563	11624	CORNELL ST	02/29/16	CHAIR IN PIECES
47660	11160	EVEREST ST	02/29/16	MATTRESS, BOX SPRING MARIO LOPEZ 760-486-9943
47842	11324	HIGH RIDGE ST	02/29/16	TREADMILL PER TAMISHA 951-552-3955
47773	11352	HIGH RIDGE ST	02/29/16	2 NIGHT STANDS, COFFEE TABLE, HOSE HOLDER, BUMPER AND TOY CHEST
48790	14243	PALM CT	02/29/16	2 DRESSERS, ENTERTAINMENT CENTER, BED FRAME VAL 760-217-5992
48210	14256	PALM CT	02/29/16	2 COUCHES, BOX SPRING, MATTRESS PER TERA
47870	14649	PALM ST	02/29/16	5 BUNDLES OF WOOD MARIA CABRERA 760-780-5112
48135	14440	RACHEL DR	02/29/16	RECLINER FOR DAWN 760-617-8175
48433	14359	SAVANNA ST	02/29/16	COUCH, MATTRESS, BOX SPRINGS, PIECE OF PLYWOOD MARIA 760-246-0157
47767	14396	SAVANNA ST	02/29/16	2 COUCHES, MATTRESS, CHAIR P/GUADALUPE- 760-887-8984
47892	11775	STAR ST	02/29/16	COUCH, MATTRESS, STOVE PER VICENT 562-928-8754
48318	11764	STOCKTON ST	02/29/16	COUCH, MATTRESS. ANNA LEYBA 714-254-5393
47674	14232	SUN VALLEY ST	02/29/16	COUCH, 2 MATTRESSES, BOX SPRING, MARIA FERNANDEZ 909-289-0721
48062	11757	WOLCOTT ST	02/29/16	COUCH, HEADBOARD, WATER HEATER, BOX SPRING SABINE 760-246-9457

## **USED OIL PROGRAM**

**CITY OF ADELANTO USED OIL PROGRAM  
FEBRUARY 2016**

<b>WO ID</b>	<b>STR #</b>	<b>SERVICE ADDRESS</b>	<b>DATE</b>	<b>SERVICE NOTES</b>
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NONE TO REPORT

## **SHARPS CONTAINER ACTIVITY**

**CITY OF ADELANTO SHARPS PROGRAM  
FEBRUARY 2016**

**COLLECTED**

**DELIVERED**

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15

# **OUTREACH**

# FREE DROP-OFF

**Victor Valley MRF Recycling Center**  
 17000 Abbey Lane in Victorville (just off Stoddard Wells Road)

**2016 QUARTERLY SHRED-FESTS**  
**Feb 6 • May 7 • Aug 6 • Nov 5**  
**8 a.m. to 12 noon**



<p><b>On your way to the landfill?</b></p> <p><b>Recycle at the MRF instead.</b></p> 	<p><b>***New Items***</b></p> <p>Now accepting donations of clothing and shoes!!</p> 	<p><b>Drop off old TVs, computers, &amp; appliances for FREE</b></p> 	<p><b>Drop off scrap metal, mixed paper, plastic, glass, cardboard, &amp; newspaper.</b></p> 	<p><b>Redeem your CRV bottles &amp; cans for \$ CASH!</b></p> 	<p><b>Bring up to 4 "bankers boxes" (12"x 10"x16") of confidential documents to shred for FREE!</b></p> 
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**\*\*\*PLEASE NOTE:** Shredding ends at 12 noon or when the shred truck is full, whichever occurs first.

<p><b>Got Mulch?</b></p>	<p><b>Need mulch for your yard? There will be FREE mulch at the MRF during the Shred-Fest event. This is a "load your own" mulch giveaway, so bring your own shovels as well as bags or other containers to load mulch into. The giveaway is for residents only— no businesses or commercial vehicles. Mulch LIMIT up to 50 gallons.</b></p>	
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**Sponsored by Burrtec Waste Industries, the City of Victorville and the Town of Apple Valley. For more information contact Burrtec Waste Municipal Programs Coordinator at (760) 245-8607 or call the Victor Valley MRF Recycling Center at (760) 241-1284.**



**BURRTEC**  
WASTE INDUSTRIES, INC.  
"We'll Take Care Of It"

Customer Service and Recycling Coordinator  
(760) 245-8607  
www.burrtec.com



City of Victorville  
Recycling Program  
(760) 955-8615

Apple Valley Cares



A Better Way of Life  
Town of Apple Valley  
Municipal Services Department  
(760) 240-7000 X 7521  
www.applevalley.org

## Here's What You Can Recycle At the "MRF"!!

Bring these items to the MRF "Recycle Alley" Drop-Off Area for

# FREE DROP-OFF

**Computers**

**TVs**

**Mixed Plastic**

**Appliances**

**All Scrap Metal**

**Plastic Grocery Bags**

**Glass Bottles & Jars**

**Mixed CRVs \***

**Cardboard \***

**Clothes & Shoes!!!**

**Newspaper \***

\* Indicates buy-back/redeemable item

# BUY-BACK CENTER

- ♻️ CRV Aluminum— \$1.80/pound
- ♻️ CRV Glass— \$0.104/pound
- ♻️ CRV PET Plastic— \$1.21/pound
- ♻️ CRV Water Jugs— \$0.58/pound
- ♻️ HDPE—Milk Jugs (not CRV)— \$0.02/pound
- ♻️ Newspapers— \$0.0055/pound
- ♻️ Corrugated Cardboard— \$0.0245/pound

All Prices effective as of 1/21/2016. Prices subject to change without notice.

## Victor Valley Materials Recovery Facility

17000 Abbey Lane in Victorville

Open Monday-Friday 8 a.m. to 4 p.m.

and Saturday 8 a.m. to 12 noon

To find out more about the recycling services available at the MRF call (760) 241-1284 or for more information on how to RECYCLE call Burrtec Waste Municipal Programs Coordinator at (760) 245-8607.



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Department of Public Works Engineering

**DATE:** April 13, 2016

**TO:** Honorable Chairman and Public Utility Authority Members

**FROM:** Cynthia M. Herrera, MMC, Executive Director/ City Clerk

**BY:** Aaron Mower, Assistant Engineer

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**SUBJECT:** Annual WWTP Report- 2016

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**ATTACHMENTS:**

1. APUA Annual Waste Water Treatment Plant Report for 2015



**Richard Kerr**  
*Mayor*

**Jermaine Wright Sr.**  
*Mayor Pro Tem*

**Ed Camargo**  
*Council Member*

**Charley Glasper**  
*Council Member*

**John Woodward**  
*Council Member*

**Cindy Herrera**  
*Interim City Manager*

City of Adelanto/PERC Water Corporation  
APUA WWTP

Order No. R6V-2013-0058

WDID No. 6B369805001

Annual 2015 Report



Patricia Zwarts Kouyuomdjian  
Executive Officer  
California Regional Water Quality Control Board – Lahontan Region

19101 Jonaihan Street  
Adelanto  
California 92301  
Office 760.246.1149  
www.percwater.com

South Office: John Morales, P.E.  
14440 Civic Drive, Suite 200  
Victorville, CA. 92392

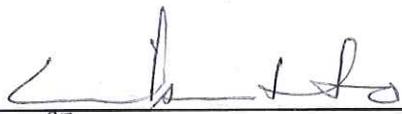
Dear Mrs. Kouyuomdjian:

Herein is the 2015 Annual Discharge Monitoring Report of the Adelanto Wastewater Treatment Plant (WWTP). In addition, attached is a copy of the 503 annual bio-solids report for 2015.

"I certify under penalty of perjury under the of laws of the State of California that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted, the documents and all attachments are, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations".

If you have any questions, please contact this office.

Approved:   
David A. Kachelski, Director of Operations/CPO, Adelanto WWTP

Approved:   
Wilson So, <sup>PE</sup>Public Services Director/City Engineer, Adelanto Public Utility Authority, City of Adelanto

Cc: Cindy Herrera, City Manager, City of Adelanto  
Nate Owen, VP COO, PERC Water Corporation



**2015**

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**Groundwater Monitoring Graphical & Tabular Results**

# Section A Narrative



## **NARRATIVE**

In 2015, PERC Water Corporation continued Operations & Maintenance for the Adelanto Wastewater Treatment Plant with David Kachelski as the Director of Operations (Chief Plant Operator). His Grade V certificate (#6775) is posted in the hallway of the main office. The Annual Report for: Adelanto Wastewater Treatment Facility under Board Order No. R6V-2013-0058 WDID No. 6B369805001. The Annual 2015 Monitoring Period from January 1, 2015 thru December 31, 2015 recorded NO effluent violations during the year of 2015. In April of 2014 one of the monitoring well (#6) tested high in NO<sub>3</sub>-N and a Contingency response (investigated work plan) was submitted to the RWQCB on September 29, 2014.

NO diversion of Influent wastewater to Victor Valley Wastewater Reclamation Authority occurred in 2015. All effluent flow to the ponds was calculated by subtracting waste activated sludge flow from the influent flow.

All Ground Water monitoring sampling is performed by DMJ Consulting Group, Inc. and David M. Johnson is the Principal Geologist, PG 6731.

To summarize sewer collection maintenance, the records indicate that between January 1st 2015 and December 31st 2015, the PERC Water Collections crew cleaned 156,052 feet, over 10.62 miles, of the collection system. City of Adelanto sewer system generated 3 sewer related calls. No sewer spills occurred and all 3 sewer related calls received between January 1st and December 31st 2015 were confirmed to be non-sewer main related.



# CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

**DATE:** April 13, 2016

**TO:** Honorable Mayor and City Council Members

**FROM:** Cynthia M. Herrera, MMC, Interim, City Manager/ City Clerk

**BY:** Grace Mercado, Accounting Technician

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**SUBJECT:** CONSENT CALENDAR/WARRANT DEMAND SCHEDULE 15/16-10-01

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**STAFF RECOMMENDATION:**

Staff requests Council consider approving Warrant Demand Schedule 15/16-10-01 as presented by the Finance Department.

**COUNCIL ACTION REQUESTED:**

1. City of Adelanto Warrant Demand Schedule Warrants 133709 through 133860 in the total amount of \$1,197,165.22.
2. City of Adelanto Warrant Demand Schedule Warrants, Electronic Fund Transfer 125 through 129 in the total amount of \$164,408.73.

City of Adelanto  
**Payment Register**

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
04000013-01 - CITY OF ADELANTO GENERAL CHKG									
<u>Check</u>									
133709	03/17/2016	Open			Accounts Payable	ADELANTO COMMUNITY RESOURCE CENTER	\$3,073.07		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	03152016		03/15/2016		ACRC Reimbursements CDBG Grant		\$3,073.07		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		
	223 - Community Devlp Block Grant_CDBG				223-11001 (Cash in Bank - DCB General Checking)		\$3,073.07		
133710	03/17/2016	Open			Accounts Payable	HIGH DESERT OUTREACH CENTER	\$4,000.00		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	3		02/25/2016		HDO Center - Reimbursements CDBG		\$4,000.00		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		
	223 - Community Devlp Block Grant_CDBG				223-11001 (Cash in Bank - DCB General Checking)		\$4,000.00		
133711	03/17/2016	Open			Accounts Payable	INTERNATIONAL COUNCIL OF SHOPPING CENTERS	\$50.00		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	031616		03/16/2016		ICSC MEMBERSHIP FOR A. MOWER		\$50.00		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)		\$50.00		
133712	03/17/2016	Open			Accounts Payable	VALLEYWIDE NEWSPAPER	\$132.00		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	47243		03/10/2016		Notice of Public Hearing - LDP 15-03/CUP 15-02		\$79.75		
	47133		02/22/2016		Notice of Public Hearing - CDBG		\$52.25		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)		\$132.00		
133713	03/17/2016	Open			Utility Management Refund	DAWKINS, RICARDO	\$43.02		
	<u>Account Type</u>		<u>Account Number</u>		<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		
	353 - AWA_Water				353-11004 (Cash in Bank-AWA General Checking)		\$43.02		
133714	03/17/2016	Open			Utility Management Refund	NABBOU, SAMIR	\$52.30		
	<u>Account Type</u>		<u>Account Number</u>		<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		
	353 - AWA_Water				353-11004 (Cash in Bank-AWA General Checking)		\$46.19		
	360 - APUA_Sewer				360-11004 (Cash in Bank-AWA General Checking)		\$6.11		
133715	03/17/2016	Open			Accounts Payable	MV CHENG & ASSOCIATES INC.	\$567.50		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	02/29/2016		03/07/2016		FEBRUARY 2016/PROFESSIONAL SERVICES		\$567.50		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)		\$567.50		
133716	03/17/2016	Open			Utility Management Refund	BETTS, JUDY	\$339.48		
	<u>Account Type</u>		<u>Account Number</u>		<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>		
	RESIDENTIAL		60012861-001			03/16/2016	REFUND ADJUSTMENT		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		
	353 - AWA_Water				353-11004 (Cash in Bank-AWA General Checking)		\$156.30		

City of Adelanto  
**Payment Register**

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
					360-11004 (Cash in Bank-AWA General Checking)		\$183.18		
133717	03/17/2016	Open			Utility Management Refund	CRISOSTO, ELIZABETH	\$301.67		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			RESIDENTIAL	15012980-001	Cash Account	03/16/2016	REFUND ADJUSTMENT		
			Paying Fund				Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$158.18		
			360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$143.49		
133718	03/17/2016	Open			Utility Management Refund	MARSIDI, LENNY	\$298.68		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			RESIDENTIAL	00057241-001	Cash Account	03/16/2016	REFUND ADJUSTMENT		
			Paying Fund				Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$115.50		
			360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$183.18		
133719	03/17/2016	Open			Utility Management Refund	OTT, JAMES	\$6.58		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			RESIDENTIAL	20012925-001	Cash Account	03/17/2016	REFUND ADJUSTMENT		
			Paying Fund				Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$6.58		
133720	03/17/2016	Open			Utility Management Refund	ROBERTSON, DARREN & JILL	\$271.96		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			RESIDENTIAL	20012925-001	Cash Account	03/17/2016	REFUND ADJUSTMENT		
			Paying Fund				Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$271.96		
133721	03/17/2016	Open			Utility Management Refund	SALAZAR, LETICIA	\$429.77		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			RESIDENTIAL	80006314-001	Cash Account	03/16/2016	REFUND ADJUSTMENT		
			Paying Fund				Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$247.50		
			360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$182.27		
133722	03/21/2016	Open			Utility Management Refund	DE ANDA, EZEQUIEL	\$109.09		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			RESIDENTIAL		Cash Account		Amount		
			Paying Fund				Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$80.14		
			360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$28.95		
133723	03/21/2016	Open			Utility Management Refund	GRIFFIN, SALLY	\$43.62		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			RESIDENTIAL		Cash Account		Amount		
			Paying Fund				Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$43.62		
133724	03/21/2016	Open			Utility Management Refund	LANSFORD, KENNETH	\$244.07		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			RESIDENTIAL		Cash Account		Amount		
			Paying Fund				Amount		

City of Adelanto  
**Payment Register**

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
133725	03/21/2016	Open			353-11004 (Cash in Bank-AWA General Checking)		\$60.89		
					360-11004 (Cash in Bank-AWA General Checking)	Utility Management	MENJIVA, MARIA		
					Refund		\$46.44		
					Account Type	Account Number	Description	Transaction Date	Transaction Type
					Paying Fund		Cash Account		Amount
					353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$43.84
					360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$2.60
133726	03/21/2016	Open			Utility Management	RUIZ, VICTOR	\$112.51		
					Refund				
					Account Type	Account Number	Description	Transaction Date	Transaction Type
					Paying Fund		Cash Account		Amount
					353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$112.51
133727	03/21/2016	Open			Utility Management	ULLOA RIVERA, RAFAEL	\$264.50		
					Refund				
					Account Type	Account Number	Description	Transaction Date	Transaction Type
					Paying Fund		Cash Account		Amount
					353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$81.32
					360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$183.18
133728	03/21/2016	Open			Utility Management	VANDEWERKER, BONNIE	\$29.16		
					Refund				
					Account Type	Account Number	Description	Transaction Date	Transaction Type
					Paying Fund		Cash Account		Amount
					353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$29.16
133729	03/21/2016	Open			Accounts Payable	THE SONS OF THE AMERICAN LEGION POST 229	\$250.00		
					Invoice	Date	Description	Amount	
					01122016	01/12/2016	4TH PLACE NON-PROFIT ORG FLOATS/MISC	\$250.00	
					Paying Fund		Cash Account	Amount	
					471 - Adelanto Community Benefit Corp.		471-11001 (Cash in Bank - DCB General Checking)	\$250.00	
133730	03/23/2016	Open			Utility Management	AGUIRRE, FERNANDO	\$34.99		
					Refund				
					Account Type	Account Number	Description	Transaction Date	Transaction Type
					Paying Fund		Cash Account		Amount
					353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$34.99
133731	03/23/2016	Open			Utility Management	NAJERA, JAVIER or GIDGET	\$376.00		
					Refund				
					Account Type	Account Number	Description	Transaction Date	Transaction Type
					Paying Fund		Cash Account		Amount
					353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$268.75
					360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$107.25
133732	03/23/2016	Open			Utility Management	TRAN or MYHANH T HO, NGHIA T	\$32.67		
					Refund				
					Account Type	Account Number	Description	Transaction Date	Transaction Type
					Paying Fund		Cash Account		Amount
					360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$32.67
133733	03/23/2016	Open			Utility Management	ALMAZAN, FRANCISCO	\$394.68		
					Refund				
					Account Type	Account Number	Description	Transaction Date	Transaction Type
					RESIDENTIAL	30015983-001		03/23/2016	REFUND ADJUSTMENT



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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)			\$8,327.47		
	353 - AWA_Water			353-11001 (Cash in Bank - DCB General Checking)			\$351.55		
133742	03/29/2016	Open			Utility Management Refund	CAMPBELL, SHADENA	\$154.58		
	Account Type			Account Number	Description	Transaction Date	Transaction Type		
	Paying Fund			Cash Account		Amount			
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)			\$50.78		
	360 - APUA_Sewer			360-11004 (Cash in Bank-AWA General Checking)			\$103.80		
133743	03/29/2016	Open			Utility Management Refund	CAPITAL ONE NA	\$237.52		
	Account Type			Account Number	Description	Transaction Date	Transaction Type		
	RESIDENTIAL			60015976-003		03/28/2016	REFUND ADJUSTMENT		
	Paying Fund			Cash Account		Amount			
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)			\$115.40		
	360 - APUA_Sewer			360-11004 (Cash in Bank-AWA General Checking)			\$122.12		
133744	03/29/2016	Open			Utility Management Refund	FIELD ASSET SERVICES LLC	\$87.56		
	Account Type			Account Number	Description	Transaction Date	Transaction Type		
	RESIDENTIAL			60015976-001		03/28/2016	REFUND ADJUSTMENT		
	Paying Fund			Cash Account		Amount			
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)			\$87.56		
133745	03/29/2016	Open			Utility Management Refund	ORTEGA, FRED	\$134.29		
	Account Type			Account Number	Description	Transaction Date	Transaction Type		
	Paying Fund			Cash Account		Amount			
	360 - APUA_Sewer			360-11004 (Cash in Bank-AWA General Checking)			\$134.29		
133746	03/30/2016	Open			Utility Management Refund	BECERRA, VERONICA	\$1.52		
	Account Type			Account Number	Description	Transaction Date	Transaction Type		
	Paying Fund			Cash Account		Amount			
	360 - APUA_Sewer			360-11004 (Cash in Bank-AWA General Checking)			\$1.52		
133747	03/30/2016	Open			Utility Management Refund	FREO CALIFORNIA, LLC	\$29.59		
	Account Type			Account Number	Description	Transaction Date	Transaction Type		
	Paying Fund			Cash Account		Amount			
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)			\$29.59		
133748	03/30/2016	Open			Utility Management Refund	HANDOYO, MARCO, H	\$101.64		
	Account Type			Account Number	Description	Transaction Date	Transaction Type		
	Paying Fund			Cash Account		Amount			
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)			\$101.64		
133749	03/30/2016	Open			Utility Management Refund	SMITH, TERESA or JEFF	\$182.46		
	Account Type			Account Number	Description	Transaction Date	Transaction Type		
	Paying Fund			Cash Account		Amount			
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)			\$120.46		
	360 - APUA_Sewer			360-11004 (Cash in Bank-AWA General Checking)			\$62.00		

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**Payment Register**

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
133750	03/30/2016	Open			Utility Management Refund	TEOH, IRENE	\$11.57		
	<u>Account Type</u>		<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>			
	Paying Fund			Cash Account			Amount		
	360 - APUA_Sewer			360-11004 (Cash in Bank-AWA General Checking)			\$11.57		
133751	03/31/2016	Open			Utility Management Refund	CARRILLO, PAULA or INOCENCIO	\$70.76		
	<u>Account Type</u>		<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>			
	Paying Fund			Cash Account			Amount		
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)			\$49.13		
	360 - APUA_Sewer			360-11004 (Cash in Bank-AWA General Checking)			\$21.63		
133752	03/31/2016	Open			Utility Management Refund	ELZY, RONDA	\$66.38		
	<u>Account Type</u>		<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>			
	Paying Fund			Cash Account			Amount		
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)			\$46.79		
	360 - APUA_Sewer			360-11004 (Cash in Bank-AWA General Checking)			\$19.59		
133753	03/31/2016	Open			Utility Management Refund	LIMKETKAI, BENJIE N	\$130.35		
	<u>Account Type</u>		<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>			
	Paying Fund			Cash Account			Amount		
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)			\$83.55		
	360 - APUA_Sewer			360-11004 (Cash in Bank-AWA General Checking)			\$46.80		
133754	04/04/2016	Open			Utility Management Refund	DE IBARRA or MIGUEL IBARRA, MARIA	\$9.61		
	<u>Account Type</u>		<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>			
	Paying Fund			Cash Account			Amount		
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)			\$9.61		
133755	04/04/2016	Open			Utility Management Refund	DRYER, LINDA	\$232.58		
	<u>Account Type</u>		<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>			
	RESIDENTIAL		30011353-001	PER REQUEST	03/30/2016	REFUND ADJUSTMENT			
	Paying Fund			Cash Account			Amount		
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)			\$232.58		
133756	04/04/2016	Open			Utility Management Refund	HERRERA or YOLANDA HERRERA, HERMELINDO	\$117.16		
	<u>Account Type</u>		<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>			
	RESIDENTIAL		70016142-001	REQUEST	03/31/2016	REFUND ADJUSTMENT			
	Paying Fund			Cash Account			Amount		
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)			\$56.10		
	360 - APUA_Sewer			360-11004 (Cash in Bank-AWA General Checking)			\$61.06		
133757	04/04/2016	Open			Utility Management Refund	LE, NGOC T	\$510.40		
	<u>Account Type</u>		<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>			
	Paying Fund			Cash Account			Amount		
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)			\$253.92		
	360 - APUA_Sewer			360-11004 (Cash in Bank-AWA General Checking)			\$256.48		



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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
133766	04/07/2016	Open			Accounts Payable	PURCHASE POWER	\$2,144.82		
	Invoice		Date	Description		Amount			
	9419/03152016		03/15/2016	REFILL POSTAGE METER		\$2,144.82			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$2,144.82			
133767	04/07/2016	Open			Accounts Payable	ADELANTO WATER & SANITATION	\$2,268.72		
	Invoice		Date	Description		Amount			
	00001500-001MAR		03/10/2016	MONTHLY WATER USAGE FOR VAC TRUCK		\$2,144.20			
	00001501-001MAR		03/10/2016	MONTHLY WATER USAGE		\$58.66			
	10000001-001FEB		03/29/2016	MONTHLY WATER 2-15-3-14-16		\$65.86			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$65.86			
	360 - APUA_Sewer			360-11001 (Cash in Bank - DCB General Checking)		\$2,202.86			
133768	04/07/2016	Open			Accounts Payable	AMERICAN LEGAL PUBLISHING CORPORATION	\$186.90		
	Invoice		Date	Description		Amount			
	0108188		12/18/2015	Code of Ord. 2015 S-20 Folio Supplement		\$186.90			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$186.90			
133769	04/07/2016	Open			Accounts Payable	AMERICAN ORGANICS	\$494.66		
	Invoice		Date	Description		Amount			
	1700166		12/31/2015	GREENWASTE		\$174.74			
	1802485		01/31/2016	GREENWASTE		\$213.30			
	1898648		02/29/2016	GREENWASTE		\$106.62			
	Paying Fund			Cash Account		Amount			
	360 - APUA_Sewer			360-11001 (Cash in Bank - DCB General Checking)		\$494.66			
133770	04/07/2016	Open			Accounts Payable	APOLLO WOOD RECOVERY, INC.	\$3,770.00		
	Invoice		Date	Description		Amount			
	1226		03/03/2016	PLAY MULCH FOR PARKS		\$3,770.00			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$3,770.00			
133771	04/07/2016	Open			Accounts Payable	AQUA CAPITAL MANAGEMENT LP	\$7,450.00		
	Invoice		Date	Description		Amount			
	1012		02/28/2016	2016 CENTRO MAKE UP OBLIGATION TRANSFER TO CENTRO SUBAREA		\$7,450.00			
	Paying Fund			Cash Account		Amount			
	353 - AWA_Water			353-11001 (Cash in Bank - DCB General Checking)		\$7,450.00			
133772	04/07/2016	Open			Accounts Payable	AVCO DISPOSAL, INC.	\$276.90		
	Invoice		Date	Description		Amount			
	1222434		04/01/2016	APRIL 2016 TRASH SERVICE		\$276.90			
	Paying Fund			Cash Account		Amount			
	360 - APUA_Sewer			360-11001 (Cash in Bank - DCB General Checking)		\$276.90			
133773	04/07/2016	Open			Accounts Payable	BANK UP CORPORATION	\$500.00		
	Invoice		Date	Description		Amount			
	2632		04/01/2016	March Lockbox System charge		\$500.00			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$50.00			



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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
133782	04/07/2016	Open			Accounts Payable	CINTAS CORP #150	\$619.23		
	Invoice		Date	Description			Amount		
	150644499		03/22/2016	WEEKLY UNIFORM SERVICE LLMD			\$174.96		
	150644500		03/22/2016	WEEKLY UNIFORM SERVICE FOR FACILITY MAIN			\$7.29		
	150644503		03/22/2016	WEEKLY UNIFORM SERVICE FOR VEHICLE MAIN			\$13.39		
	150644504		03/22/2016	WEEKLY MAT SERVICE FOR CITY HALL			\$37.98		
	150648347		03/29/2016	WEEKLY UNIFORMS SERVICE FOR FACILITY MAIN			\$7.29		
	150648350		03/29/2016	WEEKLY UNIFORM SERVICE FOR V. MAIN			\$13.39		
	150648351		03/29/2016	WEEKLY MAT SERVICE FOR CITY HALL			\$37.98		
	150644501		03/22/2016	WEEKLY UNIFORM SERVICE FOR STREETS			\$7.29		
	150644502		03/22/2016	WEEKLY UNIFORM SERVICE FOR STREETS			\$72.42		
	150648348		03/29/2016	WEEKLY UNIFORM SERVICE FOR STREETS			\$7.29		
	150648349		03/29/2016	WEEKLY UNIFORM SERVICE FOR STREETS			\$72.42		
	150648346		03/29/2016	WEEKLY UNIFORM SERVICE FOR LLMD			\$14.58		
	150640694		03/15/2016	WEEKLY UNIFORM SERVICE FOR LLMD			\$14.58		
	150640696		03/15/2016	WEEKLY UNIFORM SERVICE FOR STREETS			\$7.29		
	150640695		03/15/2016	WEEKLY UNIFORM SERVICE FOR MAINT. DEPT			\$7.29		
	150640697		03/15/2016	WEEKLY UNIFORMS FOR STREETS			\$72.42		
	150640698		03/15/2016	WEEKLY UNIFORMS FOR V. MAINT.			\$13.39		
	150640699		03/15/2016	WEEKLY MAT SERVICE FOR CITY HALL			\$37.98		
	Paying Fund			Cash Account			Amount		
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)			\$619.23		
133783	04/07/2016	Open			Accounts Payable	COAPSTICK, DONNA	\$571.56		
	Invoice		Date	Description			Amount		
	02142016		02/14/2016	LIFETIME MEDICAL BENEFITS/NOV 2015 TO OCT 2016			\$571.56		
	Paying Fund			Cash Account			Amount		
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)			\$571.56		
133784	04/07/2016	Open			Accounts Payable	COLONIAL LIFE	\$1,112.50		
	Invoice		Date	Description			Amount		
	0310755/CITY-AWA		03/24/2016	7664618-0310755/MAR 2016			\$1,112.50		
	Paying Fund			Cash Account			Amount		
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)			\$1,069.04		
	353 - AWA_Water			353-11001 (Cash in Bank - DCB General Checking)			\$43.46		
133785	04/07/2016	Open			Accounts Payable	CORELOGIC SOLUTIONS, LLC.	\$100.00		
	Invoice		Date	Description			Amount		
	81677129		03/31/2016	Monthly Metroscan Data/Parcel Maps			\$100.00		
	Paying Fund			Cash Account			Amount		
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)			\$100.00		
133786	04/07/2016	Open			Accounts Payable	COUNTY OF SAN BERNARDINO	\$450.00		
	Invoice		Date	Description			Amount		
	2015-0102PT		03/08/2016	PROF. SVCS 1-31-2016 THROUGH 2-27-16			\$450.00		
	Paying Fund			Cash Account			Amount		
	240 - CFD			240-11001 (Cash in Bank - DCB General Checking)			\$450.00		
133787	04/07/2016	Open			Accounts Payable	COUNTY OF SAN BERNARDINO-1ST FLR	\$492.00		
	Invoice		Date	Description			Amount		
	589032016001		03/01/2016	Document Recording Fees - Feb			\$42.00		

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference	
	589022016001		02/01/2016		Document Recording Fees - Jan		\$105.00			
	589012016001		01/04/2016		Document Recording Fees - Dec		\$99.00			
	589112015001		11/02/2015		Document Recording Fees - Oct		\$42.00			
	589042016001		04/01/2016		County Recorder Fee - MAR		\$204.00			
	Paying Fund						Cash Account	Amount		
	100 - General Fund						100-11001 (Cash in Bank - DCB General Checking)	\$492.00		
133788	04/07/2016	Open			Accounts Payable	CROP PRODUCTION SERVICES, INC.	\$1,430.40			
	Invoice		Date	Description		Amount				
	29094953		03/14/2016	WEDD KILLER EVADE USED FOR CURB LINES ON CITY STREETS		\$534.00				
	29172827		03/23/2016	FERTILIZER FOR PARKS		\$896.40				
	Paying Fund						Cash Account	Amount		
	100 - General Fund						100-11001 (Cash in Bank - DCB General Checking)	\$896.40		
	235 - Measure I/70% Local 2010-2040						235-11001 (Cash in Bank - DCB General Checking)	\$534.00		
133789	04/07/2016	Open			Accounts Payable	CURBSIDE	\$250.00			
	Invoice		Date	Description		Amount				
	03312016		04/04/2016	Donation 1st Annual Mayor's Food share		\$250.00				
	Paying Fund						Cash Account	Amount		
	471 - Adelanto Community Benefit Corp.						471-11001 (Cash in Bank - DCB General Checking)	\$250.00		
133790	04/07/2016	Open			Accounts Payable	DAVID EVANS AND ASSOCIATES, INC.	\$30,364.23			
	Invoice		Date	Description		Amount				
	366157		11/20/2015	PROF. SVCS 9-27-15 THROUGH 10-31-2015		\$3,541.41				
	364491		10/14/2015	PROF. SVCS 8-30-2015 THROUGH 9-26-2015		\$20,089.32				
	372824		03/11/2016	PROF. SVCS 1-31-2016 THROUGH 2-27-16		\$4,000.00				
	369136		01/15/2016	PROF. SVCS 11-29-2015 THROUGH 12-26-2015		\$2,733.50				
	Paying Fund						Cash Account	Amount		
	235 - Measure I/70% Local 2010-2040						235-11001 (Cash in Bank - DCB General Checking)	\$30,364.23		
133791	04/07/2016	Open			Accounts Payable	DICKINSON JANITORIAL SUPPLIES	\$2,439.51			
	Invoice		Date	Description		Amount				
	61030		03/09/2016	ASPHALT RELEASE AGENT FOR ASPHALT TRUCK USED ON CITY STREETS		\$1,592.68				
	61203		03/28/2016	TRASH BAGS, SOAP AND TOILET TISSUE		\$313.74				
	61205		03/28/2016	SOAP AND URINAL SCREENS		\$276.05				
	61204		03/28/2016	TRASH BAGS		\$257.04				
	Paying Fund						Cash Account	Amount		
	100 - General Fund						100-11001 (Cash in Bank - DCB General Checking)	\$846.83		
	235 - Measure I/70% Local 2010-2040						235-11001 (Cash in Bank - DCB General Checking)	\$1,592.68		
133792	04/07/2016	Open			Accounts Payable	DLT SOLUTIONS, LLC.	\$1,046.37			
	Invoice		Date	Description		Amount				
	4482998A		03/15/2016	Autodesk Infrastructure Design - One year renewal exp		\$1,046.37				
	Paying Fund						Cash Account	Amount		
	100 - General Fund						100-11001 (Cash in Bank - DCB General Checking)	\$1,046.37		
133793	04/07/2016	Open			Accounts Payable	DUSENBERRY , RALPH	\$1,427.80			
	Invoice		Date	Description		Amount				
	03192016		03/19/2016	LIFETIME MEDICAL BENEFITS/SEPT 2015 - AUG 2016		\$1,427.80				



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133801	04/07/2016	Open			Accounts Payable	FONTANA FIRE EQUIPMENT, INC.	\$96.06		
	Invoice		Date	Description			Amount		
	83439		03/11/2016	FIRE SYS SERIVCE AT SENIOR CTR			\$96.06		
	Paying Fund			Cash Account			Amount		
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)			\$96.06		
133802	04/07/2016	Open			Accounts Payable	FRED PRYOR SEMINARS-CAREER TRACK	\$537.00		
	Invoice		Date	Description			Amount		
	19604317		04/04/2016	CAL/OSHA SEMINAR FOR D. WAPPLER			\$179.00		
	19604319		04/06/2016	CAL/OSHA SEMINAR FOR B. RINKER			\$179.00		
	19604320		04/06/2016	CAL/OSHA SEMINAR FOR S. MURPHY			\$179.00		
	Paying Fund			Cash Account			Amount		
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)			\$537.00		
133803	04/07/2016	Open			Accounts Payable	G.A. OSBORNE PIPE & SUPPLY INC.	\$4.38		
	Invoice		Date	Description			Amount		
	375470		03/25/2016	2" GALV PLUG			\$4.38		
	Paying Fund			Cash Account			Amount		
	353 - AWA_Water			353-11001 (Cash in Bank - DCB General Checking)			\$4.38		
133804	04/07/2016	Open			Accounts Payable	GRAINGER	\$158.06		
	Invoice		Date	Description			Amount		
	9065047004		03/28/2016	SEALANT, TAPE AND WATER HOSE WASHERS			\$158.06		
	Paying Fund			Cash Account			Amount		
	353 - AWA_Water			353-11001 (Cash in Bank - DCB General Checking)			\$158.06		
133805	04/07/2016	Open			Accounts Payable	HACH COMPANY	\$103.45		
	Invoice		Date	Description			Amount		
	9862221		03/29/2016	IRON TEST KITS			\$103.45		
	Paying Fund			Cash Account			Amount		
	353 - AWA_Water			353-11001 (Cash in Bank - DCB General Checking)			\$103.45		
133806	04/07/2016	Open			Accounts Payable	HATTRIX TEAM SPORTS & EMBROIDERY	\$35.00		
	Invoice		Date	Description			Amount		
	160340		03/03/2016	Uniform Shirts for Bowen			\$35.00		
	Paying Fund			Cash Account			Amount		
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)			\$35.00		
133807	04/07/2016	Open			Accounts Payable	HEWLETT-PACKARD FINANCIAL SERVICES	\$3,481.05		
	Invoice		Date	Description			Amount		
	600486970		03/19/2016	Cycle: 4/28/16-5/27/16			\$3,481.05		
	Paying Fund			Cash Account			Amount		
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)			\$3,481.05		
133808	04/07/2016	Open			Accounts Payable	HIGH DESERT COMMUNITY FOUNDATION	\$250.00		
	Invoice		Date	Description			Amount		
	03312016		04/04/2016	Donation 1st Annual Mayor's Food share			\$250.00		
	Paying Fund			Cash Account			Amount		
	471 - Adelanto Community Benefit Corp.			471-11001 (Cash in Bank - DCB General Checking)			\$250.00		

City of Adelanto  
**Payment Register**

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
133809	04/07/2016	Open			Accounts Payable	HIGH DESERT LASER GRAPHICS	\$61.13		
	Invoice		Date	Description		Amount			
	40398		03/10/2016	Simulated Plaque for Nathan Coapstick		\$61.13			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$61.13			
133810	04/07/2016	Open			Accounts Payable	HOME DEPOT CREDIT SERVICES	\$310.07		
	Invoice		Date	Description		Amount			
	4170875		03/15/2016	LIGHT BULBS, AND CONTROLS FOR CITY OWN BLDGS		\$61.84			
	8184504		03/21/2016	T&P VALVE, MOP AND FITTINGS FOR GLASPER CENTER		\$34.29			
	9171048		03/30/2016	PVC GLUE, PRIMER, TOOL KIT FOR SPRINKLER SYSTEMS		\$70.26			
	5170970		03/24/2016	TANK LEVER FOR MEN'S RESTROOM		\$11.86			
	8184569		03/31/2016	PIPE WRAP TYPE FOR V. MAIN		\$5.66			
	8184568		03/31/2016	KEYS FOR CITY FACILITIES		\$6.38			
	6170965		03/23/2016	DEAD BOLT LOCK		\$30.10			
	6170965NON-DEPT		03/23/2016	MOUSE GLUE TRAPS		\$17.15			
	6170965STREETS		03/23/2016	2 STROKE OIL		\$64.02			
	6170966		03/23/2016	GLIDDEN GRAFFITI PAINT		\$4,275.24			
	6170969		03/23/2016	CREDIT FOR INV# 6170966		(\$4,275.24)			
	6170965-NONDEPT		03/23/2016	KEYS FOR FINANCE DEPT AT CITY HALL		\$8.51			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$246.05			
	235 - Measure I/70% Local 2010-2040			235-11001 (Cash in Bank - DCB General Checking)		\$64.02			
133811	04/07/2016	Open			Accounts Payable	IMPERIAL SPRINKLER SUPPLY, INC.	\$677.09		
	Invoice		Date	Description		Amount			
	2547624-00		03/23/2016	SPRINKLERS AND FITTINGS FOR PARKS		\$172.69			
	2545443-00		03/22/2016	FITTINGS, SPRINKLERS AND TRIMMER LINE		\$643.42			
	2545441-00		03/22/2016	FITTINGS, EMITTERS AND DRIPLINE		\$124.93			
	2547619-00		03/23/2016	CREDIT FOR HUNTER POP UP SPRINKLERS		(\$263.95)			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$677.09			
133812	04/07/2016	Open			Accounts Payable	INFOSEND	\$2,818.31		
	Invoice		Date	Description		Amount			
	103133		03/08/2016	PROGRAMMING FEE		\$900.00			
	102580		02/29/2016	STATMENT PROCESSING/POSTAGE		\$1,918.31			
	Paying Fund			Cash Account		Amount			
	353 - AWA_Water			353-11001 (Cash in Bank - DCB General Checking)		\$2,818.31			
133813	04/07/2016	Open			Accounts Payable	INLAND WATER WORKS SUPPLY CO.	\$2,897.64		
	Invoice		Date	Description		Amount			
	282703		03/30/2016	BARREL LOCKS, CAPS, UNIONS		\$1,713.96			
	282702		03/30/2016	T HANDLES FOR 2" BLOW OFF		\$60.48			
	282704		03/30/2016	CURB AND ANGLE STOPS		\$1,123.20			
	Paying Fund			Cash Account		Amount			
	353 - AWA_Water			353-11001 (Cash in Bank - DCB General Checking)		\$2,897.64			

City of Adelanto  
**Payment Register**

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
133814	04/07/2016	Open			Accounts Payable	INSIGHT PUBLIC SECTOR, INC	\$1,586.59		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	28353473		03/25/2016		NetApp Lease- ODS Contract 062-0006170-000 - FY 15-16		\$1,586.59		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)		\$793.30		
	353 - AWA_Water				353-11001 (Cash in Bank - DCB General Checking)		\$396.65		
	360 - APUA_Sewer				360-11001 (Cash in Bank - DCB General Checking)		\$396.64		
133815	04/07/2016	Open			Accounts Payable	INTERNATIONAL COUNCIL OF SHOPPING CENTERS	\$1,710.00		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	1641666		04/05/2016		RECON CONFERENCE FOR R.KERR		\$570.00		
	1641664		04/05/2016		RECON CONFERENCE FOR J. FLORES		\$570.00		
	1655988		04/05/2016		RECON CONFERENCE FOR A. MOWER		\$570.00		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)		\$1,710.00		
133816	04/07/2016	Open			Accounts Payable	KAISER FOUNDATION HEALTH PLAN	\$24,770.95		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	835204/APR 2016		03/15/2016		APR 2016/COBRA HIGH-BILLING UNIT 691835204		\$5,117.87		
	342404/APR 2016		03/15/2016		APR 2016/DHMO LOW-BILLING UNIT 243342404		\$3,719.87		
	471600/APR 2016		03/15/2016		APR 2016-HEALTH HIGH-BILLING UNIT 451471600		\$15,933.21		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)		\$24,770.95		
133817	04/07/2016	Open			Accounts Payable	KELLY GAS	\$50.47		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	155314		03/25/2016		PROPANE FOR ASPHALT TRUCK		\$50.47		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		
	235 - Measure I/70% Local 2010-2040				235-11001 (Cash in Bank - DCB General Checking)		\$50.47		
133818	04/07/2016	Open			Accounts Payable	KNIGHT GUARD	\$3,729.00		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	228 35		03/15/2016		QRTLY ALARM MONITIRING FEES-JAN, FRB, MAR 2016		\$945.00		
	243 10		03/15/2016		QRTLY ALARM MONITORING FEES-JAN,FEB,MAR 2016		\$75.00		
	50954 10		03/15/2016		QRTLY ALARM MONITORING FEES-JAN,FEB,MAR 2016		\$120.00		
	50958 10		03/15/2016		QUARTERLY ALARM MONITORING FEES, JAN,FEB,MAR 2016		\$120.00		
	50368 6		03/15/2016		QUARTERLY ALARM FEES JAN,FEB,MAR 2016		\$2,469.00		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)		\$1,140.00		
	353 - AWA_Water				353-11001 (Cash in Bank - DCB General Checking)		\$2,469.00		
	360 - APUA_Sewer				360-11001 (Cash in Bank - DCB General Checking)		\$120.00		
133819	04/07/2016	Open			Accounts Payable	LEAGUE OF CALIFORNIA CITIES	\$9,725.00		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	158406		01/31/2016		Membership Dues Calendar Year 2016		\$9,725.00		
	<u>Paying Fund</u>				<u>Cash Account</u>		<u>Amount</u>		

City of Adelanto  
**Payment Register**

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
					100 - General Fund	100-11001 (Cash in Bank - DCB General Checking)	\$9,725.00		
133820	04/07/2016	Open			Accounts Payable	MOBILE OCCUPATIONAL SERVICES, INC.	\$115.00		
					Invoice	Date	Description	Amount	
					45967/PLANNING	03/31/2016	NON-DOT TESTING	\$70.00	
					45967	03/31/2016	PRE-EMPLOYMENT TEST FOR S. MURPHY	\$45.00	
					Paying Fund		Cash Account	Amount	
					100 - General Fund	100-11001 (Cash in Bank - DCB General Checking)	\$115.00		
133821	04/07/2016	Open			Accounts Payable	MOJAVE RESOURCE MANAGEMENT	\$1,138.00		
					Invoice	Date	Description	Amount	
					1012MRM	02/28/2016	2016 MOJAVE RESOURCE MANAGEMENT FEE	\$1,138.00	
					Paying Fund		Cash Account	Amount	
					353 - AWA_Water	353-11001 (Cash in Bank - DCB General Checking)	\$1,138.00		
133822	04/07/2016	Open			Accounts Payable	MV CHENG & ASSOCIATES INC.	\$2,778.75		
					Invoice	Date	Description	Amount	
					3312016	04/05/2016	PROFESSIONAL SERVICES MAR 2016	\$2,778.75	
					Paying Fund		Cash Account	Amount	
					100 - General Fund	100-11001 (Cash in Bank - DCB General Checking)	\$2,778.75		
133823	04/07/2016	Open			Accounts Payable	NAPA AUTO PARTS, INC.	\$280.96		
					Invoice	Date	Description	Amount	
					927651	03/28/2016	ANTIFREEZE, GLUE, EXST, DOOR LOCK KIT FOR V.MAIN	\$280.96	
					Paying Fund		Cash Account	Amount	
					100 - General Fund	100-11001 (Cash in Bank - DCB General Checking)	\$280.96		
133824	04/07/2016	Open			Accounts Payable	NIXON-EGLI EQUIPMENT	\$1,597.80		
					Invoice	Date	Description	Amount	
					P14463	03/21/2016	HOSE FOR SWEEPER USED ON CITY STREETS	\$1,149.95	
					P14744	03/31/2016	INTAKE FLAP, CLIP, AND BEARING FOR SWEEPER USED ON CITY STREETS	\$21.35	
					P14553	03/23/2016	LIMIT SWTICH AND CARTRIDGE FOR SWEEPER USED ON CITY STREETS	\$426.50	
					Paying Fund		Cash Account	Amount	
					235 - Measure I/70% Local 2010-2040	235-11001 (Cash in Bank - DCB General Checking)	\$1,597.80		
133825	04/07/2016	Open			Accounts Payable	NORTHERN SAFETY CO, INC.	\$304.86		
					Invoice	Date	Description	Amount	
					901803769	02/11/2016	FIRST-AID KIT FOR PW YARD	\$304.86	
					Paying Fund		Cash Account	Amount	
					100 - General Fund	100-11001 (Cash in Bank - DCB General Checking)	\$304.86		
133826	04/07/2016	Open			Accounts Payable	NURSERY PRODUCTS, LLC	\$8,934.50		
					Invoice	Date	Description	Amount	
					MARCH 2016 ADELA	03/31/2016	RECYCLING OF BIO SOLIDS	\$8,934.50	
					Paying Fund		Cash Account	Amount	
					360 - APUA_Sewer	360-11001 (Cash in Bank - DCB General Checking)	\$8,934.50		
133827	04/07/2016	Open			Accounts Payable	PCMG, INC.	\$12,405.00		
					Invoice	Date	Description	Amount	
					PINV333952	02/17/2016	Exchange upgrade project	\$2,842.50	

City of Adelanto  
**Payment Register**

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	PINV334172		03/22/2016		Exchange upgrade project		\$9,562.50		
	Paying Fund				Cash Account		Amount		
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)		\$4,135.82		
	353 - AWA_Water				353-11001 (Cash in Bank - DCB General Checking)		\$4,134.59		
	360 - APUA_Sewer				360-11001 (Cash in Bank - DCB General Checking)		\$4,134.59		
133828	04/07/2016	Open			Accounts Payable	PELTIER, STEVEN	\$963.80		
	Invoice		Date		Description		Amount		
	05765879		03/25/2016		Uniform Equipment/Resupply - Peltier Reimbursement		\$204.45		
	00058		03/26/2016		Hooks for RV Banners		\$25.82		
	70229861		03/17/2016		Freezer/Dead Box Replacement - Peltier Reimbursement		\$480.57		
	63B08D2F6453D6E5		04/01/2016		Animal Net - Peltier Reimbursement		\$53.99		
	05798262		03/31/2016		OC spray/Equipment - Peltier Reimbursement		\$198.97		
	Paying Fund				Cash Account		Amount		
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)		\$963.80		
133829	04/07/2016	Open			Accounts Payable	PERC WATER CORPORATION	\$169,593.89		
	Invoice		Date		Description		Amount		
	3478		02/24/2016		Customer Service - April 2016		\$29,433.00		
	3451		01/28/2016		New World Installation Management		\$12,817.50		
	3444		01/28/2016		Re: Filter Feed Booster 501 - 10% of completed project		\$5,015.92		
	3446		01/28/2016		Bond: T&L for WW074 -D. Kacheslki		\$697.98		
	3445		01/28/2016		Bond: R. Buday T&L W08		\$715.00		
	3503		03/31/2016		MAY 2016 MONTHLY WWTP OPER & MAINT.		\$49,601.89		
	3504		03/31/2016		MAY 2016 WATER OPER & MAINT.		\$57,972.00		
	3506		03/31/2016		MARCH 2016 WWTP REIMBURSABLES 3/31/16		\$6,617.53		
	3507		03/31/2016		MARCH 2016 REIMBURSABLES 3/31/16		\$6,723.07		
	Paying Fund				Cash Account		Amount		
	353 - AWA_Water				353-11001 (Cash in Bank - DCB General Checking)		\$112,676.49		
	360 - APUA_Sewer				360-11001 (Cash in Bank - DCB General Checking)		\$56,917.40		
133830	04/07/2016	Open			Accounts Payable	PET SMART	\$59.90		
	Invoice		Date		Description		Amount		
	T-9638		03/12/2016		Animal Food/Supplies		\$59.90		
	Paying Fund				Cash Account		Amount		
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)		\$59.90		
133831	04/07/2016	Open			Accounts Payable	PITNEY BOWES, INC.	\$204.66		
	Invoice		Date		Description		Amount		
	520102		03/16/2016		EQUIPMENT MAINTENANCE		\$204.66		
	Paying Fund				Cash Account		Amount		
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)		\$204.66		
133832	04/07/2016	Open			Accounts Payable	POLYDYNE, INC.	\$2,608.20		
	Invoice		Date		Description		Amount		
	1036185		03/22/2016		CLARIFLOC WE-1296 CHEMICALS		\$2,608.20		
	Paying Fund				Cash Account		Amount		
	360 - APUA_Sewer				360-11001 (Cash in Bank - DCB General Checking)		\$2,608.20		
133833	04/07/2016	Open			Accounts Payable	PRAISE CHAPEL	\$250.00		
	Invoice		Date		Description		Amount		
	03312016		04/04/2016		Donation for 1st Annual Mayors Foodshare program		\$250.00		

City of Adelanto  
**Payment Register**

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
							Amount		
							Cash Account		
							471-11001 (Cash in Bank - DCB General Checking)	\$250.00	
133834	04/07/2016	Open			Accounts Payable	PUBLIC EMPLOYEES RETIREMENT SYSTEM	\$8,864.27		
							Amount		
							Invoice		
							PP#6-2016		
							03/18/2016	\$8,864.27	
							Description		
							PP#6-2016-RETIREMENT PAYMENT		
							Amount		
							Cash Account		
							100 - General Fund	\$8,512.72	
							100-11001 (Cash in Bank - DCB General Checking)		
							353 - AWA_Water	\$351.55	
							353-11001 (Cash in Bank - DCB General Checking)		
133835	04/07/2016	Open			Accounts Payable	PUBLIC ENTITY RISK MANAGEMENT AUTHORITY	\$31,877.50		
							Amount		
							Invoice		
							031516 WCDP		
							03/15/2016	\$31,877.50	
							Description		
							3RD QTR BANKING PLAN MEMBER DEPOSIT/POOL FUNDING		
							Amount		
							Cash Account		
							100 - General Fund	\$31,877.50	
							100-11001 (Cash in Bank - DCB General Checking)		
133836	04/07/2016	Open			Accounts Payable	RANCHO MOTOR COMPANY	\$98.18		
							Amount		
							Invoice		
							253505	\$98.18	
							04/04/2016		
							Description		
							SENSOR & CONNECTORS FOR CODE VEHICLE		
							Amount		
							Cash Account		
							100 - General Fund	\$98.18	
							100-11001 (Cash in Bank - DCB General Checking)		
133837	04/07/2016	Open			Accounts Payable	ROADPOST USA INC.	\$52.31		
							Amount		
							Invoice		
							RU08080709	\$52.31	
							03/07/2016		
							Description		
							MONTHLY PHONE SVCS		
							Amount		
							Cash Account		
							100 - General Fund	\$52.31	
							100-11001 (Cash in Bank - DCB General Checking)		
133838	04/07/2016	Open			Accounts Payable	ROTH STAFFING COMPANIES, L.P.	\$1,297.44		
							Amount		
							Invoice		
							1297.44	\$1,297.44	
							12/25/2015		
							Description		
							J. GORTH/WEEK ENDING 12/20/15		
							Amount		
							Cash Account		
							100 - General Fund	\$1,297.44	
							100-11001 (Cash in Bank - DCB General Checking)		
133839	04/07/2016	Open			Accounts Payable	ROW TRAFFIC SAFETY, INC.	\$420.88		
							Amount		
							Invoice		
							14774	\$420.88	
							04/01/2016		
							Description		
							STREET NAME SIGNS USED ON CITY STREETS		
							Amount		
							Cash Account		
							235 - Measure I/70% Local 2010-2040	\$420.88	
							235-11001 (Cash in Bank - DCB General Checking)		
133840	04/07/2016	Open			Accounts Payable	RUTAN & TUCKER, LLP.	\$27,505.00		
							Amount		
							Invoice		
							743176	\$27,505.00	
							03/28/2016		
							Description		
							FEB 2016 PROFESSIONAL FEES		
							Amount		
							Cash Account		
							100 - General Fund	\$27,505.00	
							100-11001 (Cash in Bank - DCB General Checking)		
133841	04/07/2016	Open			Accounts Payable	SAN BERNARDINO COUNTY SHERIFF-CORONER DEPARTMENT	\$403,032.00		
							Amount		
							Invoice		
							15458	\$403,032.00	
							03/15/2016		
							Description		
							APRIL 2016/MONTHLY LAW ENFORCEMENT SERVICES		
							Amount		
							Cash Account		
							Paying Fund		







# Payment Register

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
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04000013-01 - CITY OF ADELANTO GENERAL CHKG Totals

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	151	\$1,197,141.12	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	1	\$24.10	\$0.00
	Stopped	0	\$0.00	\$0.00
	<b>Total</b>	<b>152</b>	<b>\$1,197,165.22</b>	<b>\$0.00</b>

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	0	\$0.00	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	<b>Total</b>	<b>0</b>	<b>\$0.00</b>	<b>\$0.00</b>

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	151	\$1,197,141.12	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	1	\$24.10	\$0.00
	Stopped	0	\$0.00	\$0.00
	<b>Total</b>	<b>152</b>	<b>\$1,197,165.22</b>	<b>\$0.00</b>

Grand Totals:

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	151	\$1,197,141.12	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	1	\$24.10	\$0.00
	Stopped	0	\$0.00	\$0.00
	<b>Total</b>	<b>152</b>	<b>\$1,197,165.22</b>	<b>\$0.00</b>

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	0	\$0.00	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	<b>Total</b>	<b>0</b>	<b>\$0.00</b>	<b>\$0.00</b>

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	151	\$1,197,141.12	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	1	\$24.10	\$0.00
	Stopped	0	\$0.00	\$0.00
	<b>Total</b>	<b>152</b>	<b>\$1,197,165.22</b>	<b>\$0.00</b>

City of Adelanto  
**Payment Register**

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
04000013-01 - CITY OF ADELANTO GENERAL CHKG									
EFT									
125	02/22/2016	Open			Accounts Payable	SOUTHERN CALIFORNIA EDISON	\$81,038.55		
	Invoice		Date		Description	Amount			
	FEB 12 2016		02/12/2016		FEB 12 2016/2-31-075-9089 CONSOLIDATED SCE BILL	\$81,038.55			
	Paying Fund				Cash Account	Amount			
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)	\$25,368.70			
	200 - Maverick Stadium				200-11001 (Cash in Bank - DCB General Checking)	\$3,232.57			
	241 - LLMD Annexation Fund				241-11001 (Cash in Bank - DCB General Checking)	\$2,149.11			
	353 - AWA_Water				353-11001 (Cash in Bank - DCB General Checking)	\$36,148.92			
	360 - APUA_Sewer				360-11001 (Cash in Bank - DCB General Checking)	\$14,139.25			
126	03/25/2016	Open			Accounts Payable	PAYPRO	\$82.63		
	Invoice		Date		Description	Amount			
	PP #6-2016		03/24/2016		PAYPRO/PP #6-2016-FLEX SPENDING	\$82.63			
	Paying Fund				Cash Account	Amount			
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)	\$82.63			
127	03/25/2016	Open			Accounts Payable	SOUTHERN CALIFORNIA EDISON	\$77,734.70		
	Invoice		Date		Description	Amount			
	MAR 15 2016		03/15/2016		MAR 15 2016/2-31-075-9089 CONSOLIDATED SCE BILL	\$77,734.70			
	Paying Fund				Cash Account	Amount			
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)	\$25,269.07			
	200 - Maverick Stadium				200-11001 (Cash in Bank - DCB General Checking)	\$2,356.72			
	241 - LLMD Annexation Fund				241-11001 (Cash in Bank - DCB General Checking)	\$2,156.90			
	353 - AWA_Water				353-11001 (Cash in Bank - DCB General Checking)	\$33,552.30			
	360 - APUA_Sewer				360-11001 (Cash in Bank - DCB General Checking)	\$14,399.71			
128	04/01/2016	Open			Accounts Payable	METLIFE	\$4,247.76		
	Invoice		Date		Description	Amount			
	MAR 2016/METLIFE		03/15/2016		MAR 2016/METLIFE/CITY AND AWA	\$4,247.76			
	Paying Fund				Cash Account	Amount			
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)	\$4,247.76			
129	04/04/2016	Open			Accounts Payable	BLUE SHIELD OF CALIFORNIA	\$1,305.09		
	Invoice		Date		Description	Amount			
	160740429689		03/14/2016		160740429689/APRIL 2016	\$1,305.09			
	Paying Fund				Cash Account	Amount			

City of Adelanto  
**Payment Register**

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
							\$1,305.09		
Type EFT Totals:									
04000013-01 - CITY OF ADELANTO GENERAL CHKG Totals								\$164,408.73	
5 Transactions									
<b>EFTs</b>									
		<b>Status</b>		<b>Count</b>			<b>Transaction Amount</b>		<b>Reconciled Amount</b>
		Open		5			\$164,408.73		\$0.00
		Reconciled		0			\$0.00		\$0.00
		Voided		0			\$0.00		\$0.00
		<b>Total</b>		<b>5</b>			<b>\$164,408.73</b>		<b>\$0.00</b>
<b>All</b>									
		<b>Status</b>		<b>Count</b>			<b>Transaction Amount</b>		<b>Reconciled Amount</b>
		Open		5			\$164,408.73		\$0.00
		Reconciled		0			\$0.00		\$0.00
		Voided		0			\$0.00		\$0.00
		Stopped		0			\$0.00		\$0.00
		<b>Total</b>		<b>5</b>			<b>\$164,408.73</b>		<b>\$0.00</b>
<b>Grand Totals:</b>									
<b>EFTs</b>									
		<b>Status</b>		<b>Count</b>			<b>Transaction Amount</b>		<b>Reconciled Amount</b>
		Open		5			\$164,408.73		\$0.00
		Reconciled		0			\$0.00		\$0.00
		Voided		0			\$0.00		\$0.00
		<b>Total</b>		<b>5</b>			<b>\$164,408.73</b>		<b>\$0.00</b>
<b>All</b>									
		<b>Status</b>		<b>Count</b>			<b>Transaction Amount</b>		<b>Reconciled Amount</b>
		Open		5			\$164,408.73		\$0.00
		Reconciled		0			\$0.00		\$0.00
		Voided		0			\$0.00		\$0.00
		Stopped		0			\$0.00		\$0.00
		<b>Total</b>		<b>5</b>			<b>\$164,408.73</b>		<b>\$0.00</b>



# CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY  
| ADELANTO, CALIFORNIA 92301

**DATE:** April 13, 2016

**TO:** Honorable Mayor and City Council Members

**FROM:** Cindy Herrera, City Manager

**BY:** Julia Sylva, Interim City Attorney  
Via: Mark de Manincor, Senior Planner

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**SUBJECT:** PUBLIC HEARING - ORDINANCE 545, CODE AMENDMENT 16-02 – PROPOSED AMENDMENT TO TITLE 17 OF THE ADELANTO MUNICIPAL CODE AMENDING SECTION 17.80.080 PERTAINING TO MEDICAL MARIJUANA CULTIVATION, AND ADDING SECTION 17.80.090 PERTAINING TO RESEARCH DEVELOPMENT AND PROCESSING OF MEDICAL MARIJUANA. CONSISTENCY CHANGES TO THE TABLE OF CONTENTS, APPENDIX A AND OTHER UPDATES WILL BE CONSIDERED.

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## **STAFF RECOMMENDATION:**

Introduce for the first reading Ordinance 545, finding the approval of Code Amendment 16-01 exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) as the Code Amendment will not have a significant effect on the environment, adopting Code Amendment 16-01, and making findings in support thereof.

## **BACKGROUND:**

Federal law, pursuant to the Controlled Substances Act , 21 U.S.C. § 801 *et seq.* (“CSA”), prohibits, except for certain research purposes, the illegal possession, distribution, and manufacture of marijuana. However, due to limited investigative and prosecutorial resources, the U. S. Department of Justice expects that states and local governments will enact laws authorizing marijuana-related conduct and that they will adopt and implement strong and effective regulatory and enforcement systems to protect public safety, public health, and other law enforcement interests.

Generally, California law is similar to the CSA (Health and Safety Code, § 11357 *et seq.*). However, California statutes such as the Compassionate Use Act of 1996 (Health and Safety Code, § 11362.5 added by Proposition 15) and the Medical Marijuana Program (Health and Safety Code § 11362.7 *et seq.*) have removed certain state law obstacles that allow qualified patients to obtain and use marijuana for legitimate medical purposes.

On October 9, 2015, Governor Brown signed a package of bills intended to change the way medical marijuana is cultivated, processed, and distributed to patients and caregivers in the State of California. Specifically, (1) AB 206 (Bonita) establishes dual licensing structures requiring state license and local license or permit. The Department of Consumer Affairs heads the overall regulatory structure establishing minimum health and safety and testing standards; (2) AB 243 (Wood) establishes a regulatory and licensing structure for cultivation sites under the Department of Food and Agriculture (“DFA”). AB 243 also sets forth “State cultivator license types” issued by the DFA, which are described as Types 1 to 4, with Types: 3, 3A, and 3B, subject to limited number of licenses to be issued by the DFA. [As of this date, the DFA has not set forth the limits to the number of licenses.]; and (3) SB 643 (McGuire) establishes criteria for licensing of medical marijuana businesses, regulates physicians, and recognizes local authority to levy taxes and fees.

Notwithstanding the ability under California law for medical marijuana dispensaries to operate, the law is clear that cities have the ability to independently ban medical marijuana dispensaries within the city. (*City of Riverside v. Inland Empire Patient Health and Wellness Center* (2013) 51 Cal.4<sup>th</sup> 729.) Indeed, the City of Adelanto does not allow medical marijuana dispensaries within the City. (Adelanto Municipal Code, § 17.80.050.) It has been the policy of the City to vigorously enforce the ban on dispensaries within the City.

### **Prior Agendized Discussions On Medical Marijuana Cultivation and Research**

On November 23, 2015, the City Council adopted Ordinance 539, adding Section 17.80.080 to the Municipal Code, allowing the cultivation of medical marijuana in the Industrial Parks located in the Industrial Zone. As of January 27, 2016, the City has issued 26 Medical Marijuana Cultivation Permits pursuant to Ordinance 539 (the “Cultivation Permitees”). These Cultivation Permitees are subject to a conditional use permit. As of this date, no conditional use permits have been issued by the City. The City reserves the right to prioritize the applicants depending on, among other things, the community benefit offered by the applicants.

The Council now wishes to address, Research Development and Processing of Medical Marijuana. Attached to the staff report is the proposed ordinance pertaining to Research, Development and Processing.

Consistency changes are proposed for Section 17.80.080 pertaining to Medical Marijuana Cultivation such as: allowing the continuance of the application submittal process, changing the 12 month permit period to a review period and other changes to eliminate confusion about the cultivation permit process.

For the medical marijuana research, development and processing ordinance, potential requirements that have been discussed include: allowing facilities only in the Industrial Zone, in the Industrial Park (Cultivation Zone), requiring the facility and signage to be benign in nature such as simply the name of the organization, reviewing the processing permit every 12 months for compliance, no restrictions on the hours of operation, having any size limitation on the facility be established by the required conditional use permit rather than the ordinance and limitations on the number of operators, giving processing permits to current cultivation permit holders only and other requirements similar to the Cultivation Ordinance.

At a special meeting, March 29, 2016, the Planning Commission recommended to the City Council approval of Ordinance 545 with a 5 – 0 vote.

**ENVIRONMENTAL IMPACT**

The project is considered Exempt pursuant to Section 15061 (b) (3) of the California Environmental Quality Act as the project will not have a significant effect on the environment.

**FISCAL IMPACT:**

Permitting fees are proposed to cover potential expenses incurred by the City.

**ATTACHMENTS:**

1. Ordinance 545
2. Amended Table of Contents
3. Amended Chapter 17.80
4. Amended Appendix A
5. Planning Commission Staff Report

## ORDINANCE NO. 545

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ADELANTO, CALIFORNIA, AMENDING SECTION 17.80.080 OF THE ADELANTO MUNICIPAL CODE RELATING TO MEDICAL MARIJUANA CULTIVATION AND ADDING SECTION 17.80.090 OF THE ADELANTO MUNICIPAL CODE RELATING TO MEDICAL MARIJUANA RESEARCH, DEVELOPMENT AND PROCESSING

WHEREAS, the voters of the State of California approved Proposition 215 (codified as Health and Safety Code Section 11362.5 and entitled “The Compassionate Use Act of 1996”). The intent of Proposition 215 was to ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician, and to ensure that patients and their primary caregivers who obtain and use marijuana for medical purposes upon the recommendation of a physician are not thereby subject to criminal prosecution or sanction. The Act further provides that “nothing in this section shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes.” The State enacted SB 420 in 2004 (codified as Health and Safety Code Section 11362.7 et seq.) to clarify the scope of The Compassionate Use Act of 1996, facilitate the prompt identification of qualified patients and primary caregivers, avoid unnecessary arrest and prosecution of these individuals, provide needed guidance to law enforcement officers, promote uniform and consistent application of the Act, and enhance the access of patients and caregivers to medical marijuana through collective, cooperative cultivation projects and to allow local governing bodies to adopt and enforce rules and regulations consistent with SB 420; and

WHEREAS, Health and Safety Code section 11362.83 provides that local governments are free to adopt laws that are consistent with State law, and as such, it is up to each jurisdiction to decide if it will allow medical cannabis cooperatives or collectives, in what zones, and under what regulations; and

WHEREAS, In August 2008, the Attorney General of the State of California set forth Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use ("Guidelines") which Guidelines affirm the legality of medical marijuana dispensaries under California law, but make clear that such entities cannot be operated for profit, may not purchase marijuana from unlawful sources and must have a defined organizational structure that includes detailed records proving that members are legitimate patients; and

WHEREAS, the California Supreme Court empowers local incorporated cities and counties to enact laws or regulations pertaining to medical marijuana cultivation, dispensing, manufacturing, or distribution pursuant to city zoning powers that the city or counties governing body allows which including either expanding and allowing such activity within its city zoning area or can restrict, ban or prohibit within its zoning area; and

WHEREAS, the State of California recently adopted AB 243, AB 266 and SB 643 to clarify legal requirements pertaining to medical marijuana; and

WHEREAS, the City of Adelanto (“City”) wishes to comply with California Law and allow for research development and processing for medical marijuana; and

WHEREAS, it is the purpose and intent of this Chapter to regulate medical marijuana in a manner that is consistent with State law and which promotes the health, safety, and general welfare of the residents and businesses within the incorporated City of Adelanto and limits impacts associated with marijuana research, development and processing; and

WHEREAS, the City of Adelanto intends to be on the forefront of ground breaking research, science, innovation and development of treatment for symptoms and cures in the field of medical cannabis. Scientific research, studies and data has established that cannabis helps patients with a vast array of medical conditions that affect the vast majority of human beings across the globe; and

WHEREAS, nothing in this Section shall be construed to allow persons to engage in conduct that endangers others or causes a public nuisance as defined herein, allow the use or diversion of marijuana for nonmedical purposes, or allow any activity relating to the cultivation, distribution or consumption of marijuana that is otherwise illegal under California State law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ADELANTO DOES ORDAIN AS FOLLOWS:

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. Section 17.80.080 (Cultivation of Medical Marijuana) is amended as follows and Section 17.80.090 (Research, Development and Processing of Medical Marijuana) is hereby added to the City Municipal Code is to read in its entirety as follows:

**17.80.80 Cultivation of Medical Marijuana**

- (a) The purpose and intent of this Section is to regulate the cultivation of medical marijuana that is grown in accordance with State law in order to promote the health, safety, morals, and general welfare of the residents and businesses within the City.
- (b) For purposes of this Section, the following definitions shall apply, unless the context clearly indicates otherwise:
  - (1) “City” means the City of Adelanto, California, a Charter Law City.
  - (2) “City Manager” means the individual duly appointed by a majority of the City Council of the City to serve in the capacity as executive officer of the City on a permanent or interim basis.
  - (3) “Cultivation” or “marijuana cultivation” means cultivation of medical

cannabis and industrial hemp either indoor or within external greenhouses.

- (4) “Fully enclosed and secure structure” means a space within a building, greenhouse or other structure which has a complete roof enclosure supported by connecting walls extending from the ground to the roof, which is secure against unauthorized entry, provides complete visual screening, and which is accessible only through one or more lockable doors and inaccessible to minors.
  - (5) “Indoors” means within a fully enclosed and secure structure.
  - (6) “Medical Marijuana” and “Medical Cannabis” are defined in strict accordance with California Health and Safety Code section 11362.5 and 11362.8 *et seq.*
  - (7) “Outdoors” means any location within the City that is not within a fully enclosed and secure structure.
  - (8) “Permit” means a permit to own, operate and manage a Medical Marijuana facility for cultivation purposes only, pursuant to the terms and conditions of this Ordinance.
  - (9) “Permitee” means an applicant who has applied for and has been issued a Permit by the City for a Medical Marijuana Cultivation Permit pursuant to the terms and conditions of this Ordinance.
  - (10) “Primary caregiver” means a “primary caregiver” as defined in Section 11362.7(d) of the Health and Safety Code, as may be amended from time to time.
  - (11) “Qualified patient” means a “qualified patient” as defined in Section 11362.7(f) of the Health and Safety Code.
- (c) All outdoor cultivation of marijuana within the City is prohibited. It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the City to cause or allow such parcel to be used for the outdoor cultivation, manufacture, or research of marijuana.
- (d) It is hereby declared to be unlawful for any person owning, leasing, occupying, or having charge or possession of any property in the City to cause or allow such property to be used for the indoor cultivation of marijuana plants within a fully enclosed and secure structure on the property, except as provided in subsections (d)(1) and (d)(2) of this section.
- (1) Indoor Cultivation Standards. Indoor Medical Marijuana Cultivation,

within the City, shall be in conformance with the following standards:

- A. Indoor Medical Marijuana Cultivation shall only be considered upon application and approval of a Marijuana Cultivation Permit in accordance with the criteria and process set forth in this Section.
- B. Indoor Medical Marijuana Cultivation is a conditionally permitted use only on property within the Manufacturing/Industrial (MI) zoning designation in the Industrial Park (the "Cultivation Zone"). No Medical Marijuana Cultivation shall be established, developed, or operated within two thousand five hundred (2,500) feet of a school, public playground or park, child care or day care facility, youth center, or church. All distances shall be measured in a straight line, without regard to intervening structures, from the nearest point of the building or structure in which the Medical Marijuana Cultivation is, or will be located, to the nearest property line of those uses describe in this Subsection.
- C. Indoor Medical Marijuana Cultivation is allowed only within fully enclosed and secure structures inaccessible to minors.
- D. Indoor Medical Marijuana Cultivation shall not exceed the square footage authorized pursuant to the Conditional Use Permit.
- E. From a public right-of-way, there shall be no exterior evidence of Indoor Medical Marijuana Cultivation.
- F. Indoor Medical Marijuana Cultivation shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products or wastes.
- G. The number of Medical Marijuana Cultivation Permits shall be limited to those that may be reasonably accommodated within the Cultivation Zone, as defined in B, above.
- H. The Medical Marijuana Cultivation facility shall comply fully with all of the applicable restrictions and mandates set forth in state law, including without limitation the Attorney General Guidelines. The Medical Marijuana Cultivation facility shall comply with all size requirements for such facilities imposed by State law. The Medical Marijuana Cultivation facility shall not engage in any activities not allowed at cultivation facilities pursuant to State law. The Medical Marijuana Cultivation facility shall comply with all

horticultural, labeling, processing, and other standards required by State law.

- I. There is no set restriction on the hours of operation of a Medical Marijuana Cultivation facility; however one may be established as a condition of approval of the Conditional Use Permit.
- J. Marijuana shall be kept in a secured manner during business and nonbusiness hours.
- K. All Medical Marijuana Cultivation facilities shall operate within a legal structure compliant with all applicable laws of the State of California.
- L. Any Medical Marijuana Cultivation facility must pay any applicable sales tax pursuant to federal, state, and local law. The facility shall be established as a “point of sale” within the City for sales tax purposes.
- M. On-site smoking, ingestion, or consumption of marijuana or alcohol shall be prohibited on the premises of the Medical Marijuana Cultivation facility. The term "premises" as used in this Subsection includes the actual building, as well as any accessory structures and parking areas. The building entrance to a Medical Marijuana Cultivation facility shall be clearly and legibly posted with a notice indicating that smoking, ingesting, or consuming marijuana on the premises or in the vicinity of the facility is prohibited.
- N. Signage for the Medical Marijuana Cultivation facility shall be limited to name of business only and in compliance with the City’s sign code, and no advertising of companies, brands, products, goods and/or services shall be permitted. Signage shall not include any drug-related symbols.
- O. Alcoholic beverages shall not be sold, stored, distributed, or consumed on the premises. A Medical Marijuana Cultivation facility shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages. In addition, alcohol shall not be provided, stored, kept, located, sold, dispensed, or used on the premises of the Medical Marijuana Cultivation facility.
- P. Physician services shall not be provided on the premises.

"Physician services" does not include social services, including counseling, help with housing and meals, hospice and other care referrals which may be provided on site.

- Q. The building in which the Medical Marijuana Cultivation facility is located as well as the operations as conducted therein shall fully comply with all applicable rules, regulations, and laws including, but not limited to, zoning and building codes, the City's business license ordinances, the Revenue and Taxation Code, the Americans with Disabilities Act, and the Compassionate Use Act. Compliance with all requirements of state law pertaining to cultivation of marijuana as such state laws are amended is also required.
- R. The Medical Marijuana Cultivation facility shall not distribute, sell, dispense, or administer marijuana out of its facility to the public. A Medical Marijuana Cultivation facility shall not be operated as a medical marijuana dispensary.
- S. **The operator of the facility shall** provide the City Manager with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom one can provide notice if there are operating problems associated with the Medical Marijuana Cultivation facility. The Medical Marijuana Cultivation facility shall make every good faith effort to encourage residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the police or planning departments.
- T. Any and all Permits permitting the operation of a Medical Marijuana Cultivation facility **shall be reviewed for compliance with this section every** twelve (12) months after issuance to the Permittee. **If permittee remains in good standing upon review, the permit continues indefinitely or until revoked by the City Manager for just cause.**
- U. The Permittee shall account for job creation in the City and shall commit to employing a workforce that resides in the City. A minimum of fifty percent (50%) of all employees employed by the Permittee at the cultivation facility, pursuant to this Permit, shall be residents of the City. Permittee shall use good faith efforts to comply with this subsection.
- (2) Marijuana Cultivation Permit. Prior to initiating operations and as a continuing requisite to conducting operations, the legal representative of the persons wishing to obtain a Marijuana Cultivation Permit shall obtain

said permit from the City Manager under the terms and conditions set forth in this Section. The legal representative shall file an application with the City Manager upon a form provided by the City and shall pay a filing fee as established by resolution adopted by the City Council as amended from time to time. An application for a Marijuana Cultivation Permit shall include, but shall not be limited to, the following information:

- A. An estimate of the size of the Indoor Medical Marijuana Cultivation facility.
- B. The address of the location for which the Marijuana Cultivation Permit is sought.
- C. A site plan and floor plan of the premises denoting all the use of areas on the premises, including storage, cultivation areas, lighting, signage, etc.
- D. A security plan including the following measures:
  1. Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 120 concurrent hours of digitally recorded documentation in a format approved by the City Manager. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras include, but are not limited to, the storage areas, cultivation areas, all doors and windows, and any other areas as determined by the City Manager;
  2. The facility shall be alarmed with an alarm system that is operated and monitored by a recognized security company;
  3. Entrance to the cultivation area and any storage areas shall be locked at all times, and under the control of staff of the cultivation facility;
  4. The entrance(s) and all window areas shall be illuminated during evening hours. The applicant shall comply with the City's lighting standards regarding fixture type, wattage, illumination levels, shielding, etc., and secure the necessary approvals and permits as needed; and
  5. All windows on the building that houses the cultivation facility shall be appropriately secured and all marijuana securely stored, and a reliable, commercial alarm system

shall be installed and maintained.

- E. The name and address of any person who is managing or responsible for the Indoor Medical Marijuana Cultivation activities, and the names and addresses of any employees, if any, and a statement as to whether such person or persons has or have been convicted of a crime(s), the nature of such offense(s), and the sentence(s) received for such conviction(s).
- F. The name and address of the owner and lessor of the real property upon which the Indoor Medical Marijuana Cultivation is to be conducted. In the event the applicant is not the legal owner of the property, the application must be accompanied with a notarized acknowledgement from the owner of the property that a Medical Marijuana Cultivation Facility will be operated on his/her property.
- G. Authorization for the City Manager to seek verification of the information contained within the application.
- H. Evidence that the Indoor Medical Marijuana Cultivation facility is organized in a legal structure compliant with all applicable laws of the State of California.
- I. A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information contained in the application is true and correct.
- J. Any such additional and further information as is deemed necessary by the City Manager to administer this Section.
- K. The City Manager shall conduct a background check of any applicant seeking a Permit, including any person who is managing or is otherwise responsible for the activities of the cultivation facility, and any employee at the cultivation facility (“Applicant’s Agents”), and shall prepare a report on the acceptability of the applicant and the Applicant’s Agents background and the suitability of the proposed location. Upon completing the review process, the City Manager may issue a Permit to any applicant that meets all the City requirements for said Permit, unless the City Manager finds that:
  - 1. The applicant has made one or more false or misleading statements, or omissions on the application or during the application process;

2. The proposed Indoor Medical Marijuana Cultivation facility is not allowed by state or local law, statute, ordinance, or regulation, including this Code, at a particular location;
  3. The applicant is not a Primary Caregiver or Qualified Patient or the legal representative of the Indoor Medical Marijuana Cultivation facility;
  4. The applicant, or any person who is managing or is otherwise responsible for the activities of the Indoor Medical Marijuana Cultivation facility, or any employee, if any, has been convicted of a felony, or convicted of a misdemeanor involving moral turpitude, or the illegal use, possession, transportation, distribution or similar activities related to controlled substances, with the exception of marijuana related offenses for which the conviction occurred prior to passage of Compassionate Use Act. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of *nolo contendere*;
  5. The applicant, or any person who is managing or is otherwise responsible for the activities of the Indoor Medical Marijuana Cultivation facility has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices; or
  6. The applicant has not satisfied each and every requirement of this Section.
- L. Based on the information set forth in the application and the City Manager's report, the City Manager may impose reasonable terms and conditions on the proposed operations in addition to those specified in this Section.
- M. The City Manager will accept applications for Medical Marijuana Cultivation Permits during a thirty (30) day period after adoption (Second Reading) of this Ordinance **and shall continue indefinitely or until no space is available in the cultivation zone.** Applications that have been determined to be qualified by the City Manager during the Application Period shall be considered by the City Manager for ultimate review and consideration. The City Manager shall rank all qualified applications in order of those that best satisfy the requirements of this Section and provide the highest

level of service and opportunities for residents of the City based on the requirements of this Section and the following criteria: 1) the operations plan for the facility; 2) the security plan for the facility; 3) the experience of the operators of the facility; 4) the adequacy of capitalization for the facility and operation; and 5) the employment and other public benefits to the City. The City Manager may issue a reasonable number of Medical Marijuana Cultivation Permits, as determined by the City Manager, in his or her exclusive discretion, pursuant to the terms and conditions of this Ordinance, provided the number of Permits may be reasonably accommodated within the Cultivation Zone, as defined herein. Within thirty (30) days after issuance of Medical Marijuana Cultivation Permits, the City Manager shall submit a written report to the City Council stating which applicants were issued Medical Marijuana Cultivation Permits.

N. The obligations of the Indoor Medical Marijuana Cultivation facility, including all on-going and continuing obligations required pursuant to any provision of this Section or as may be provided in any conditional approval of the City Manager, shall be set forth in a covenant running with the land or the leasehold interest, approved as to form by the City Attorney, and enforceable by the City. Such covenant shall also provide that the Indoor Medical Marijuana Cultivation facility shall annually provide to the City Manager an updated application containing the information contained in Subsection (d)(2)A-J. To the fullest extent permitted by law, the City shall not assume any liability whatsoever, and expressly does not waive sovereign immunity, with respect to medical marijuana, or for the activities of any Indoor Medical Marijuana Cultivation facility. Upon receiving possession of a Medical Marijuana Cultivation Permit as provided in this Section, the facility shall:

1. Execute an Indemnification Agreement, prepared by the City, wherein, among other things, Permittee shall fully indemnify the City for any and all litigation that may arise in furtherance of this Ordinance;
2. Carry insurance in the amounts and of the types that are acceptable to the City Manager;
3. Name the City as an additionally insured;
4. Agree to defend at its sole expense, any action against the City, its agents, officers, and employees because of the

issues of such approval; and

5. Agree to reimburse the City for any court costs and attorney fees that the City may be required to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the operator of its obligation hereunder.
- O. All Medical Marijuana Cultivation facilities shall be required to enter into an agreement with the City that fully reimburses the City for all costs of the City resulting from the existence of such facilities in the City and provides the City with revenue to offset the potential deleterious effects of the location of Medical Marijuana Cultivation facilities within the jurisdiction of the City.
- P. Enforcement
1. Recordings made by the security cameras shall be made available to the City Manager upon verbal request; no search warrant or subpoena shall be needed to view the recorded materials;
  2. The City Manager, or the City Manager's designee, shall have the right to enter the Indoor Medical Marijuana Cultivation facility from time to time unannounced for the purpose of making reasonable inspections to observe and enforce compliance with this Section and all laws of the City and State of California;
  3. Operation of the cultivation facility in non-compliance with any conditions of approval or standards of this Section shall constitute a violation of the Municipal Code and shall be enforced pursuant to the provisions of this Code;
  4. The City Manager may revoke a Medical Marijuana Cultivation Permit if any of the following, singularly or in combination, occur:
    - (a) The City Manager determines that the Indoor Medical Marijuana Cultivation facility has failed to comply with this Section, any condition or approval, or any agreement or covenant as required pursuant to this Section;

- (b) Operations cease for more than 90 calendar days, including during change of ownership proceedings;
  - (c) Ownership of the Medical Marijuana Cultivation facility is changed or transferred to third party;
  - (d) The Indoor Medical Marijuana Cultivation facility fails to maintain 120 hours of security recordings; or
  - (e) The Indoor Medical Marijuana Cultivation facility fails to allow inspection of the security recordings, the activity logs, or of the premise by authorized City officials.
5. Any decision regarding the revocation of a Medical Marijuana Cultivation Permit may be appealed to an independent neutral, third party, appointed by the City Manager (the “Neutral”). Said appeal shall be made by a notice of appeal from the person appealing within thirty (30) days from the date of the decision. The appeal shall be accompanied by a fee, which shall be established by resolution of the City Council amended from time to time, and a written, verified declaration setting forth the basis for the claim that the Permit was improperly approved, denied, conditioned or revoked. The appeal decision rendered by the Neutral shall be binding upon the City and the appellant.
- Q. Any and all permits, rights or entitlements permitting the operation of a Medical Marijuana Cultivation facility shall **be reviewed for compliance with this section every twelve (12) months after issuance to the Permittee. If permittee remains in good standing upon review, the permit continues indefinitely or until revoked by the City Manager for just cause.** Unless extended, upon the conclusion of the twelve (12) month **review** period, Medical Marijuana Cultivation facilities for the expired Permittee shall be a prohibited use and any rights obtained pursuant to this Section or any other rules or agreements shall cease as to the respective Permittee.
- R. Medical Marijuana Cultivation Permit issued pursuant to this Section is not transferable to a third party by the applicant, under any circumstances.

- S. Oversight Committee. The City shall create an Oversight Committee to oversee activities of the Permittee(s) to ensure that all applicable local, state, and federal laws are in compliance, and to assure that all restrictive covenants of this Ordinance are enforced, and that no illegal activity is conducted on the premises. The City's Oversight Committee shall have full authority to review all proposed applications, applicants, business proposals, financial resources, merit and overall business plan when deciding to which entities will receive the proposed Permit as outlined herein. The Oversight Committee shall be appointed by the City Council and shall consist of five (5) total members with one (1) member from code enforcement, one (1) member from planning, and three (3) at-large appointments. The City's Oversight Committee shall be assembled and shall take effect on or after January 1, 2016.

#### **17.80.090 Medical Marijuana Research, Development and Processing**

- (a) The City intends to be on the forefront in the field of medical cannabis, research, development and processing thereof. The City seeks to be on the cutting-edge of the regulation, manufacturing and processing of medical marijuana through the issuance of a Medical Marijuana Research Development and Processing Permit to qualified applicants. In order to further establish and regulate quality and safety standards for the future regulation of medical marijuana processing, the City may approve qualified applicants for a Medical Marijuana Research Development and Processing Permit as follows:
- (1) The purpose and intent of this Section is to regulate the research, development, processing and manufacturing of medical marijuana that is grown in accordance with State law in order to promote the health, safety, morals, and general welfare of the residents and businesses within the City.
- A. "Medical Marijuana Research Development and Processing Permit" means a permit to own, operate and manage a Medical Marijuana Research Development Processing facility for the purposes of research, development and processing of commercially available Cannabis infused edibles and vaporizable products.
- (2) Medical Marijuana Research Development and Processing Standards. Medical Marijuana Research Development and Processing, within the City, shall be in conformance with the following standards:
- A. Medical Marijuana Research Development and Processing shall only be considered upon application and approval of a Medical

Marijuana Research Development and Processing Permit in accordance with the criteria and process set forth in this section.

- B. Only those entities with a current City of Adelanto cultivation permit will be eligible for a Medical Marijuana Research Development and Processing Permit.
- C. Marijuana Research Development and Processing is a conditionally permitted use only on property within the Manufacturing/Industrial (MI) zoning designation in the Industrial Park (the "Cultivation Zone"). No Medical Marijuana Research Development and Processing facility shall be established, developed, or operated within two thousand five hundred (2,500) feet of a school, public playground or park, child care or day care facility, youth center, or church. All distances shall be measured in a straight line, without regard to intervening structures, from the nearest point of the building or structure in which the Medical Marijuana Research Development and Processing facility is, or will be located, to the nearest property line of those uses described in this Subsection.
- D. Medical Marijuana Research Development and Processing is allowed only within fully enclosed and secure structures inaccessible to minors.
- E. Medical Marijuana Research Development and Processing shall not exceed the square footage authorized pursuant to the Conditional Use Permit.
- F. From a public right-of-way, there shall be no exterior evidence of Medical Marijuana Research Development and Processing.
- G. Medical Marijuana Research Development and Processing shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products or wastes.
- H. The number of Medical Marijuana Research Development and Processing Permits shall be limited to those that may be reasonably accommodated within the Cultivation Zone, as defined in C, above.
- I. The Medical Marijuana Research Development and Processing facility shall comply fully with all of the applicable restrictions and

mandates set forth in state law, including without limitation the Attorney General Guidelines. The Medical Marijuana Research Development and Processing facility shall comply with all size requirements for such facilities imposed by State law. The Medical Marijuana Research Development and Processing facility shall not engage in any activities not allowed at Medical Marijuana Research Development and Processing facilities pursuant to State law. The Medical Marijuana Research Development and Processing facility shall comply with all manufacturing, labeling, processing, and other standards required by State law.

- J. There is no set restriction on the hours of operation of a Medical Marijuana Research Development and Processing facility; however these restrictions, and others, may be established as a condition of approval of the Conditional Use Permit.
- K. Marijuana shall be kept in a secured manner during business and nonbusiness hours.
- L. All Medical Marijuana Research Development and Processing facilities shall operate within a legal structure compliant with all applicable laws of the State of California.
- M. Any Medical Marijuana Research Development and Processing facility must pay any applicable sales tax pursuant to federal, state, and local law. The facility shall be established as a “point of sale” within the City for sales tax purposes.
- N. On-site smoking, ingestion, or consumption of marijuana or alcohol shall be prohibited on the premises of the Medical Marijuana Research Development and Processing facility. The term "premises" as used in this Subsection includes the actual building, as well as any accessory structures and parking areas. The building entrance to a Medical Marijuana Research Development and Processing facility shall be clearly and legibly posted with a notice indicating that smoking, ingesting, or consuming marijuana on the premises or in the vicinity of the facility is prohibited.
- O. Signage for the Medical Marijuana Research Development and Processing facility shall be limited to name of business only and in compliance with the City’s sign code, and no advertising of companies, brands, products, goods and/or services shall be permitted. Signage shall not include any drug-related symbols.

- P. Alcoholic beverages shall not be sold, stored, distributed, or consumed on the premises. A Medical Marijuana Research Development and Processing facility shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages. In addition, alcohol shall not be provided, stored, kept, located, sold, dispensed, or used on the premises of the Medical Marijuana Research Development and Processing facility.
- Q. Physician services shall not be provided on the premises. "Physician services" includes, but is not limited to, social services, including counseling, help with housing and meals, hospice and other care referrals which may not be provided on site.
- R. The building in which the Medical Marijuana Research Development and Processing facility is located as well as the operations as conducted therein shall fully comply with all applicable rules, regulations, and laws including, but not limited to, zoning and building codes, the City's business license ordinances, the Revenue and Taxation Code, the Americans with Disabilities Act, and the Compassionate Use Act. Compliance with all requirements of state law pertaining to research development and processing/manufacturing of marijuana as such state laws are amended is also required.
- S. The Medical Marijuana Research Development and Processing facility shall not distribute, sell, dispense, or administer marijuana out of its facility to the public. A Medical Marijuana Research Development and Processing facility shall not be operated as a medical marijuana dispensary.
- T. The operator of the facility shall provide the City Manager with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom one can provide notice if there are operating problems associated with the Medical Marijuana Research Development and Processing facility. The Medical Marijuana Research Development and Processing facility shall make every good faith effort to encourage residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the police or planning departments.
- U. Any and all permits, rights or entitlements permitting the operation of a Medical Marijuana Research Development and Processing facility shall be reviewed for compliance with this section every

twelve (12) months after issuance to the Permittee. If permittee remains in good standing upon review, the permit continues indefinitely or until revoked by the City Manager for just cause. Unless extended, upon the conclusion of the twelve (12) month review period, Medical Marijuana Research Development and Processing facilities for the expired Permittee shall be a prohibited use and any rights obtained pursuant to this Section or any other rules or agreements shall cease as to the respective Permittee..

- V. Permittee shall account for job creation in the City and shall commit to employing a workforce that resides in the City. A minimum of fifty percent (50%) of all employees employed by the Permittee at the processing facility, pursuant to this Permit, shall be residents of the City. Permittee shall use good faith efforts to comply with this subsection.
- W. A Medical Marijuana Research Development and Processing facility may be located within the same building or structure as a Medical Marijuana Cultivation facility, only if the Medical Marijuana Processing facility is located in separate room(s) of the facility, and only if the Medical Marijuana Research Development and Processing facility has its own, separate entrance.
- X. A Medical Marijuana Research Development and Processing facility must employ full time quality control personnel. For any edible products, the Permittee must establish Standard Operating Procedures and Batch Records that comply with current Good Manufacturing Practices for food products, as outlined by the California Department of Public Health and the Food and Drug Administration.
- Y. All finished products produced by a Medical Marijuana Research Development and Processing facility must be labeled in compliance with the labeling requirements outlined by the California Department of Public Health, as well as comply with any applicable Marijuana specific labeling requirements established by California Medical Marijuana statutes or codes.
- Z. All finished products produced by a Medical Marijuana Research Development and Processing facility must be packaged in child resistant containers, prior to becoming commercially available and, therefore, leaving the facility.
- AA. All batches of final product must be tested by a third party laboratory for potency of cannabinoids, residual solvents, mold,

pesticides, and any other contaminants as may be outlined in California Medical Marijuana statutes or codes. In the event that the State of California requires testing by a State certified laboratory, the Permittee shall comply with such regulation.

BB. A Medical Marijuana Research Development and Processing facility may only use solvents, which have been approved by the Food and Drug Administration for the processing or preparation of botanical, dietary supplements or food grade products.

CC. All processing or analytical testing devices used in a Medical Marijuana Research Development and Processing facility must be UL listed, or otherwise approved for the intended use by the local Building Department and/or Fire Department. Any processing devices using only non-pressurized water are exempt from such approval.

DD. Any processing device used in a Medical Marijuana Research Development and Processing facility, which utilized hydrocarbons or otherwise flammable solvents, must operate in a closed loop or in such a way that all solvent material is recovered in the process. All hazardous material must be disposed of in a manner which is compliant with all local, state, and federal guidelines for the disposal of hazardous materials.

EE. All Medical Marijuana Research Development and Processing facilities shall be required to enter into an agreement with the City that fully reimburses the City for all costs of the City resulting from the existence of such facilities in the City and provides the City with revenue to offset the potential deleterious effects of the location of Medical Marijuana Research Development and Processing facilities within the jurisdiction of the City.

- (3) Medical Marijuana Research Development and Processing Permit. Prior to initiating operations and as a continuing requisite to conducting operations, the legal representative of the persons wishing to obtain a Medical Marijuana Research Development and Processing Permit shall obtain said permit from the City Manager under the terms and conditions set forth in this Section. The legal representative shall file an application with the City Manager upon a form provided by the City and shall pay a filing fee as established by resolution adopted by the City Council as amended from time to time. An application for a Medical Marijuana Research Development and Processing Permit shall include, but shall not be limited to, the following information:

- A. An estimate of the size of the Medical Marijuana Research Development and Processing facility.
- B. The address of the location for which the Medical Marijuana Research Development and Processing Permit is sought.
- C. A site plan and floor plan of the premises denoting all the use of areas on the premises, including storage, processing areas, lighting, signage, etc.
- D. A security plan including the following measures:
  - 1. Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 120 concurrent hours of digitally recorded documentation in a format approved by the City Manager. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras include, but are not limited to, the storage areas, cultivation areas, all doors and windows, and any other areas as determined by the City Manager;
  - 2. The facility shall be alarmed with an alarm system that is operated and monitored by a recognized security company;
  - 3. Entrance to the processing area and any storage areas shall be locked at all times, and under the control of staff of the processing facility;
  - 4. The entrance(s) and all window areas shall be illuminated during evening hours. The applicant shall comply with the City's lighting standards regarding fixture type, wattage, illumination levels, shielding, etc., and secure the necessary approvals and permits as needed; and
  - 5. All windows on the building that houses the processing facility shall be appropriately secured and all marijuana securely stored, and a reliable, commercial alarm system shall be installed and maintained.
- E. The name and address of any person who is managing or responsible for the Medical Marijuana Research Development and Processing activities, and the names and addresses of any employees, if any, and a statement as to whether such person or persons has or have been convicted of a crime(s), the nature of

such offense(s), and the sentence(s) received for such conviction(s).

- F. The name and address of the owner and lessor of the real property upon which the Indoor Medical Marijuana Research Development and Processing is to be conducted. In the event the applicant is not the legal owner of the property, the application must be accompanied with a notarized acknowledgement from the owner of the property that a Medical Marijuana Research Development and Processing Facility will be operated on his/her property.
- G. Authorization for the City Manager to seek verification of the information contained within the application.
- H. Evidence that the Indoor Medical Marijuana Research Development and Processing facility is organized in a legal structure compliant with all applicable laws of the State of California.
- I. A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information contained in the application is true and correct.
- J. Any such additional and further information as is deemed necessary by the City Manager to administer this Section.
- K. The City Manager shall conduct a background check of any applicant seeking a Permit, including any person who is managing or is otherwise responsible for the activities of the Medical Marijuana Research Development and Processing facility, and any employee at the Medical Marijuana Research Development and Processing facility (“Applicant’s Agents”), and shall prepare a report on the acceptability of the applicant and the Applicant’s Agents background and the suitability of the proposed location. Upon completing the review process, the City Manager may issue a Permit to any applicant that meets all the City requirements for said Permit, unless the City Manager finds that:
  - 1. The applicant has made one or more false or misleading statements, or omissions on the application or during the application process;
  - 2. The proposed Medical Marijuana Research Development and Processing facility is not allowed by state or local law, statute, ordinance, or regulation, including this Code, at a

particular location;

3. The applicant is not a Primary Caregiver or Qualified Patient or the legal representative of the Medical Marijuana Research Development and Processing facility;
  4. The applicant, or any person who is managing or is otherwise responsible for the activities of the Medical Marijuana Research Development and Processing facility, or any employee, if any, has been convicted of a felony, or convicted of a misdemeanor involving moral turpitude, or the illegal use, possession, transportation, distribution or similar activities related to controlled substances, with the exception of marijuana related offenses for which the conviction occurred prior to passage of Compassionate Use Act. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of *nolo contendere*;
  5. The applicant, or any person who is managing or is otherwise responsible for the activities of the Medical Marijuana Research Development and Processing facility has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices; or
  6. The applicant has not satisfied each and every requirement of this Section.
- L. Based on the information set forth in the application and the City Manager's report, the City Manager may impose reasonable terms and conditions on the proposed operations in addition to those specified in this Section.
- M. The City Manager will accept applications for Medical Marijuana Research Development and Processing Permits during a thirty (30) day period after adoption (Second Reading) of this Ordinance and shall continue indefinitely or until no space is available in the cultivation zone. Applications that have been determined to be qualified by the City Manager during the Application Period shall be considered by the City Manager for ultimate review and consideration. The City Manager shall rank all qualified applications in order of those that best satisfy the requirements of this Section and provide the highest level of service and opportunities for residents of the City based on the requirements of this Section and the following criteria: 1) the operations plan for

the facility; 2) the security plan for the facility; 3) the experience of the operators of the facility; 4) the adequacy of capitalization for the facility and operation; and 5) the employment and other public benefits to the City. The City Manager may issue a reasonable number of Medical Marijuana Research Development and Processing Permits, as determined by the City Manager, in his or her exclusive discretion, pursuant to the terms and conditions of this Ordinance, provided the number of Permits may be reasonably accommodated within the Cultivation Zone, as defined herein. Within thirty (30) days after issuance of Medical Marijuana Research Development and Processing Permits, the City Manager shall submit a written report to the City Council stating which applicants were issued Medical Marijuana Research Development and Processing Permits.

N. The obligations of the Medical Marijuana Research Development and Processing facility, including all on-going and continuing obligations required pursuant to any provision of this Section or as may be provided in any conditional approval of the City Manager, shall be set forth in a covenant running with the land or the leasehold interest, approved as to form by the City Attorney, and enforceable by the City. Such covenant shall also provide that the Medical Marijuana Research Development and Processing facility shall annually provide to the City Manager an updated application containing the information contained in Subsection (d)(2)A-J. To the fullest extent permitted by law, the City shall not assume any liability whatsoever, and expressly does not waive sovereign immunity, with respect to medical marijuana, or for the activities of any Medical Marijuana Research Development and Processing facility. Upon receiving possession of a Medical Marijuana Research Development and Processing Permit as provided in this Section, the facility shall:

1. Execute an Indemnification Agreement, prepared by the City, wherein, among other things, Permittee shall fully indemnify the City for any and all litigation that may arise in furtherance of this Ordinance;
2. Carry insurance in the amounts and of the types that are acceptable to the City Manager;
3. Name the City as an additionally insured;
4. Agree to defend at its sole expense, any action against the City, its agents, officers, and employees because of the

issues of such approval; and

5. Agree to reimburse the City for any court costs and attorney fees that the City may be required to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the operator of its obligation hereunder.

O. Enforcement

1. Recordings made by the security cameras shall be made available to the City Manager upon verbal request; no search warrant or subpoena shall be needed to view the recorded materials;
2. The City Manager, or the City Manager's designee, shall have the right to enter the Medical Marijuana Research Development and Processing facility from time to time unannounced for the purpose of making reasonable inspections to observe and enforce compliance with this Section and all laws of the City and State of California;
3. Operation of the Medical Marijuana Research Development and Processing facility in non-compliance with any conditions of approval or standards of this Section shall constitute a violation of the Municipal Code and shall be enforced pursuant to the provisions of this Code;
4. The City Manager may revoke a Medical Marijuana Research Development and Processing Permit if any of the following, singularly or in combination, occur:
  - (a) The City Manager determines that the Medical Marijuana Research Development and Processing facility has failed to comply with this Section, any condition or approval, or any agreement or covenant as required pursuant to this Section;
  - (b) Operations cease for more than 90 calendar days, including during change of ownership proceedings;
  - (c) Ownership of the Medical Marijuana Research Development and Processing facility is changed or transferred to third party;

- (d) The Medical Marijuana Research Development and Processing facility fails to maintain 120 hours of security recordings; or
- (e) The Medical Marijuana Research Development and Processing facility fails to allow inspection of the security recordings, the activity logs, or of the premise by authorized City officials.

5. Any decision regarding the revocation of a Medical Marijuana Research Development and Processing Permit may be appealed to an independent neutral, third party, appointed by the City Manager (the "Neutral"). Said appeal shall be made by a notice of appeal from the person appealing within thirty (30) days from the date of the decision. The appeal shall be accompanied by a fee, which shall be established by resolution of the City Council amended from time to time, and a written, verified declaration setting forth the basis for the claim that the Permit was improperly approved, denied, conditioned or revoked. The appeal decision rendered by the Neutral shall be binding upon the City and the appellant.

P. Medical Marijuana Research Development and Processing Permit issued pursuant to this Section is not transferable to a third party by the applicant, under any circumstances.

Section 3. Recognizing that there is a potential conflict between Federal and State law, it is the City Council's intention that this Chapter shall be deemed to comply with California law as established by the "Compassionate Use Act" (codified as Health and Safety Code § 11362.5 *et seq.*) and the Medical Marijuana Program Act" (codified as Health and Safety Code § 11362.7 *et seq.*).

Section 4. The City Council determines that it is in the best interest of the residents of the City to allow cultivation facilities that comply with the Guidelines to be established and operated as permitted uses within certain areas of the City subject to the regulations and restrictions provided in this Ordinance. It is the City Council's intention that nothing in this Chapter shall be construed to:

1. Allow persons to engage in conduct that endangers others or causes a public nuisance;
2. Allow the use of marijuana for non-medical purposes of any kind; or
3. Allow any activity relating to the cultivation, distribution, or consumption of marijuana that is otherwise not permitted under State law.

Section 5. The City Council finds that the actions contemplated by this Ordinance are exempt from the California Environmental Quality Act pursuant to Section 15061 (b) 3 and 15305 of the Guidelines, in that the amendment does not have the potential for causing a significant effect on the environment.

Section 6. No use, business, or activity of any kind which researched, developed or processed marijuana prior to the enactment of this ordinance shall be deemed to have been a legally established use under the provisions of the Zoning Code and such use shall not be entitled to claim legal nonconforming status.

Section 7. If any section or provision of this Ordinance is for any reason held to be invalid or unconstitutional, illegal or unenforceable by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, then such section or provision shall be severed and shall be inoperative, and the remainder of this Ordinance shall remain in full force and effect.

Section 8. By regulating Research Development and Processing facilities, the City of Adelanto is only assuming an undertaking to preserve the general welfare through the provision of a method of implementing the Compassionate Use Act. The City Council is not assuming, nor is it imposing on its officers and employees, an obligation for which a breach thereof would expose the City to a liability in money damages to any person who claims that such breach proximately caused injury. To the fullest extent permitted by law, the City shall assume no liability whatsoever, and expressly does not waive sovereign immunity, with respect to any provision of this Ordinance or for the activities of any Research Development or Processing facility. To the fullest extent permitted by law, any actions taken by a public officer or employee under the provisions of this Chapter shall not become a personal liability of any public officer or employee of the City. Nothing in this Ordinance shall be deemed or considered in any respects to constitute authorization to violate any state or federal law.

Section 9. The Mayor shall sign and the City Clerk shall certify passage and adoption of this Ordinance, and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect thirty (30) days after its final passage.

PASSED, APPROVED and ADOPTED this 27<sup>th</sup> day of April, 2016.

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Mayor, Richard Kerr

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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City Attorney

I, Cindy Herrera, City Clerk of the City of Adelanto, do hereby certify that the foregoing Ordinance was introduced for a first reading on the 13<sup>th</sup> day of April and approved for a second reading at a regular meeting of the City Council of the City of Adelanto held on the 27<sup>th</sup> day of April, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

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Cindy M. Herrera, City Clerk, City of Adelanto

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**APPENDICES**

Appendix A: Regulation of Uses by Zoning District

## CHAPTER 17.80

### SPECIAL USE STANDARDS

- 17.80.010 Intent and Purpose**
- 17.80.020 Antennas and Cellular Telephone Towers**
- 17.80.030 Churches, Temples, religious institutions, non-profits and other similar institutions**
- 17.80.040 Restrictions on Sales of Tobacco Products**
- 17.80.050 Medical Marijuana Dispensaries**
- 17.80.060 Wind Energy Conversion Systems (WECS)**
- 17.80.070 Solar Energy Conversion Systems (SECS)**
- 17.80.080 Medical Marijuana Cultivation**
- 17.80.090 Research Development and Processing of Medical Marijuana**

#### **17.80.010 Intent and Purpose**

Certain uses, although permitted in specific zoning districts, require additional development standards beyond those specified for the applicable zone. Additional standards are required to ensure that such uses are operated in a manner that does not adversely impact surrounding uses. The purpose of this Chapter is to provide additional development standards and conditions for certain uses to ensure their compatibility with surrounding uses.

#### **17.80.020 Antennas and Cellular Telephone Towers**

##### **(a) Exempt Antennas**

Common skeletal-type radio and television antenna in standard configurations used to receive UHF, VHF, AM, and FM signals of off-air broadcasts from radio and television stations are exempt from the requirements of this Section.

Solid dish-type antennas with a diameter of less than two feet (2') which are designed to receive broadcast signals directly from orbiting satellites are also exempt from the following requirements, with the exception that this type of antenna may not be placed in a front yard area or in any other location visible from the street at the front of the home or building which the antenna serves.

##### **(b) Location of Antennas in Residential Districts**

Antennas and satellite dishes (hereafter referred to as “antennas”) located in the residential zones of the City shall conform to the following standards:

- (1) All antennas shall be required to maintain their supporting structures at least five feet (5') from any property line and ten feet (10') from any other structure.
- (2) All ground-mounted antennas shall be screened by walls, fences, or landscaping at least six feet (6') in height obscuring visibility of the antenna from adjacent properties at the same elevation. Landscaping

shall be of a type and variety and installed at sufficient size to be capable of growing within one year to a landscape screen which obscures the visibility of the antenna.

- (3) All antennas and their supporting structures shall be located in the rear yard.
- (4) No antenna shall be higher than thirty-five feet (35') above grade level, except dish-type satellite receiving antennas, which shall not exceed fifteen feet (15') in height. Antennas exceeding thirty-five feet (35') may be approved provided the antenna is retractable to below the thirty-five foot (35') height limit, and the applicant executes a use agreement providing that the antenna will only be extended during actual use of said antenna.
- (5) A maximum of two (2) antennas, including exempt antennas, shall be allowed per lot.
- (6) All roof-mounted antennas, with the exception of exempt antennas, are prohibited.

(c) Location of Antennas in Non-Residential Districts

Antennas located in non-residential zoning districts shall conform to the following standards:

- (1) All ground-mounted antennas shall be required to maintain their supporting structures at least five feet (5') from any property line and ten feet (10') from any other structure.
- (2) All ground-mounted antennas shall be screened by walls, fences, or landscaping at least six feet (6') in height obscuring visibility of the antenna from adjacent properties at the same elevation. Landscaping shall be of a type and variety capable of growing within one year to a landscape screen which obscures the visibility of the antenna.
- (3) All antennas and their supporting structures shall be located in the rear yard or any side yard, except a street side yard.
- (4) No antenna or its supporting structure shall be located in the area between the front property line and the main structure or building.
- (5) No antenna shall be higher than the maximum height permitted in the zone, measured from grade level, except satellite antennas, which shall not exceed fifteen feet (15') in height.
- (6) A maximum of two (2) antennas, including exempt antennas, shall be allowed per lot.
- (7) No antenna shall be roof-mounted except on a flat portion of the roof structure with parapets, and/or architecturally matching screening plan.

(d) Location of Antennas in Public Utility, Open Space and Greenbelt Corridor Districts

- (1) All ground-mounted antennas shall be required to maintain their supporting structures at least five feet (5') from any property line and ten feet (10') from any other structure.
- (2) All ground-mounted antennas shall be screened by walls, fences or landscaping at least six feet (6') in height obscuring visibility of the antenna. Landscaping shall be of a type and variety capable of growing within one year to a landscape screen which obscures the visibility of the antenna.
- (3) All antennas and their supporting structures shall be located in the rear yard or any side yard, except a street side yard.
- (4) No antenna or its supporting structure shall be located in the area between the front property line and the main structure or building.
- (5) No antenna shall be higher than the maximum height permitted in the zone measures from grade level, except satellite antennas which shall not exceed fifteen feet (15') in height.
- (6) A maximum of two (2) antennas, including exempt antennas, shall be allowed per lot.
- (7) No antenna shall be roof-mounted except on a flat portion of the roof structure with parapets, and/or architecturally matching screening plan.

(e) Wireless Communication Facilities

The following regulations shall govern the placement of wireless communication facilities, antennas, and similar installations:

- (1) All cellular phone installations shall require Conditional Use Permit Approval, pursuant to the requirements of Chapter 17.130 of this Code.
- (2) Cellular Telephone Towers shall be permitted within all Business and Manufacturing (BP, LM, MI and ADD), Open Space, Public Land, Schools, Greenbelt Corridors (OS, DE, UE) and Public Utilities and Public Facilities (PU and PF) zoning districts.
- (3) Cellular Telephone Towers shall not be located in Residential Districts.
- (4) Design Standards
  - A. Cellular Telephone Towers shall be "Stealth Facilities", which means that any Wireless Telecommunications Facility shall be disguised to appear as another natural or artificial object that exists in the surrounding environment or which is architecturally

integrated into a building or other structure. They may include, but are not limited to:

1. Co-location on existing electrical transmission towers within Power Easements.
  2. Architecturally screened roof mounted antenna.
  3. Wall or façade-mounted antenna as design features, clock towers, flagpoles, church crosses, “tree” poles (monopalms, monopines, or similar).
  4. Wall Mounted means a Wireless Telecommunication Facility that is mounted on any vertical surface or nearly vertical surface of a building or other existing structure that is not specifically constructed for the purpose of supporting an antenna, such as exterior walls of a building, an existing parapet, the side of a water tank, the face of a church steeple, or the side of a freestanding sign such that the highest point of the Facility is at an elevation equal to or lower than the highest point of the surface on which it is mounted.
  5. Exceptions to this may be granted through the Conditional Use Permit Process, provided that it can be demonstrated that the proposed installation would not be unduly intrusive, such as they are located in proximity to similar existing towers for major electrical transmission lines.
- B. Cellular phone towers, antennas, and similar structures are limited to the maximum height allowed within the Zoning District in which it is located, unless an RF report prepared by a qualified RF Engineer and reviewed by the City, demonstrates that: 1) an antenna built at the Zoning District limit would obstruct the antenna’s reception window or otherwise excessively interfere with reception and such obstruction or interference involves factors beyond the applicant’s control; and 2) there are no other locations within the City available to the cellular phone provider that would enable the cellular phone provider to construct an antenna within the limits of the Zoning Code without limiting cell phone coverage and reception. In such cases, a maximum height of one hundred feet (100’) may be allowed, unless a lower height is required by a local Airport Land Use Commission (ALUC).
- C. Setback requirements for cellular phone installations shall be developed on a case-by-case basis as part of the Conditional Use Permit Approval.

(f) Antennas Used for Transmission Purposes

The following regulations shall apply to the establishment, installation, and operation of antennas used to transmit signals of any type for commercial purposes.

- (1) Except as provided in subsection (2) below, prior to the approval by the City of the installation of any non-exempt antenna, the applicant must submit a written statement that the antenna will not be used for transmission purposes; or, that the use of the antennas for transmission purposes will not exceed EIRP levels of 80 dBW.
- (2) Antennas used for transmission purposes which exceed EIRP levels of 80 dBW may be approved by the Planning Commission, subject to the imposition of reasonable conditions to protect the applicant and the public health and safety. Reasonable conditions shall include, but not be limited to, fencing, screening, warning signs, partial submersion below ground level, and other like conditions.
- (3) Antennas used for transmission purposes shall be subject to the same screening requirements as antennas used for receiving signals. Transceiver antennas shall be considered to be transmitting antennas for the purposes of this Chapter.
- (4) Any applicant aggrieved by a decision of or condition imposed by the City may appeal that decision or condition pursuant to Section 2.04.080 et seq. of this Code.

(g) Required Criteria and Performance Standards

The following regulations shall apply to the establishment, installation, and operation of antennas in all zoning districts:

- (1) Antennas shall be installed and maintained in compliance with the requirements of the Building Code. Antenna installers shall obtain a building permit prior to installation.
- (2) No advertising material shall be allowed on any antenna.
- (3) All electrical wiring associated with any antenna shall be buried underground or hidden in a manner acceptable to the Building Official.
- (4) No portion of an antenna array shall extend beyond the property lines or into any front yard area. Guy wires shall not be anchored within any front yard area but may be attached to the building.
- (5) The antenna, including guy wires, supporting structures, and accessory equipment, shall be located and designed so as to minimize the visual impact on surrounding properties and from public streets. The materials used in constructing the antenna shall not be unnecessarily bright, shiny, garish, or reflective.

- (6) Every antenna must be adequately grounded for protection against a direct strike of lightning with an adequate ground wire. Ground wires shall be of the type approved by the latest edition of the National Electrical Code, as adopted by the City, for grounding masts and lightning arresters and shall be installed in a mechanical manner, with as few bends as possible, maintaining a clearance of at least two (2) inches from combustible materials. Lightning arresters shall be used which are approved as safe by the Underwriter's Laboratories, Inc., and both sides of the line must be adequately protected with proper arresters to remove static charges accumulated on the line. When lead-in conductors of polyethylene ribbon-type are used, lightning arresters must be installed in each conductor. When coaxial cable or shielded twin lead is used for lead-in, suitable protection may be provided without lightning arresters by grounding the exterior metal sheath.
- (7) A wind velocity test shall be required if deemed necessary by the Building Official.

(h) Variances

Pursuant to the procedures of Chapter 17.140 et seq. of this Zoning Code, any person may seek a variance from the provisions of this Chapter pertaining to antennas and satellite dish antennas. A fee shall be charged to an applicant for a variance that is required solely for the purposes of complying with the antenna and/or satellite dish antenna regulations of this Chapter. Any variance so granted is revocable for failure by the applicant or property owner to comply with the conditions imposed. A variance shall be issued for an antenna if it meets the following standards:

- (1) Locating the antenna in conformance with the specifications of this Chapter would obstruct the antenna's reception window or otherwise excessively interfere with reception, and such obstruction or interference involves factors beyond the applicant's control; or the cost of meeting the specifications of this Section is excessive, given the cost of the proposed antenna.
- (2) The variance application includes a certification that the proposed installation is in conformance with applicable City Building Code regulations. Furthermore, the application must contain written documentation of such conformance, including load distributions within the building's support structure, and must be certified by a registered engineer.
- (3) If it is proposed that the antenna will be located on the roof, where possible, the antenna shall be located on the rear portion of the roof and be consistent with neighboring improvements, uses, and architectural character.

(i) Nonconforming Antennas

All antennas, in any zone, lawfully constructed and erected prior to the effective date of this Chapter, which do not conform to the requirements of the provisions of this Chapter for the particular zoning district in which they are located, shall be accepted as non-conforming uses for a period of one (1) year from the date of adoption of this Chapter. Thereafter, the antennas shall be subject to abatement as set forth below via removal, modification, or relocation to comply with the standards of this Chapter. Any antenna constructed or erected in violation of this Chapter or any prior law, ordinance, or regulation shall be subject to immediate abatement.

(j) Notice of Nonconforming Antennas

(1) Upon the determination of the Planning Director that the provisions of this Chapter apply to a given parcel of land on which an antenna is located, the Planning Director or his/her designee shall send a notice thereof by United States certified mail, return receipt requested, to the owner thereof as shown on the last equalized assessment roll and shall cause such property to be posted with a similar notice.

(2) The notice provided for in this Section shall state that the property and antenna in question is a nonconformity, shall state the date of abatement established in Section 17.80.020(i), shall state that an administrative hearing will be held before the Planning Commission and shall state the date of such hearing.

(k) Hearing; Decision and Order; Appeal; Recordation of Order

(1) Within sixty (60) days after the issuance of the notice prescribed in Section 17.80.020(j), the Planning Commission shall hold an administrative hearing to determine whether the nonconformity should be abated or whether a time extension should be granted as provided in subsection (7) below.

(2) The Planning Commission shall receive written and oral testimony at such hearing in regard to the abatement.

(3) At the close of the hearing, the Planning Commission shall find and determine whether the nonconformity should be abated and all facts in support thereof, whether the owner of the property can amortize his/her investment in the term for abatement provided in Section 17.80.020(i), and if not, what term for abatement should be provided as specified in Section 17.80.020(j).

(4) The Planning Commission shall also find and determine whether the structure encompassing the nonconforming use can be used economically in its present condition or can be modified successfully for a purpose permitted in the zoning district in which it is located.

- (5) The decision of the Planning Commission and the findings in support thereof shall be in the form of a written order and shall be served upon the property owner personally or by United States certified mail, return receipt requested, within ten (10) days after the decision is rendered.
- (6) The decision of the Planning Commission may be appealed to the City Council.
- (7) After the conclusion of all appeals, notice of the decision and order of the Planning Commission or the City Council shall be recorded with the City Clerk.

(l) Extension of Time

- (1) The Planning Commission or City Council on appeal, shall grant an extension of the time for abatement of nonconformity where it finds that an unreasonable hardship would otherwise be imposed on the property owner.
- (2) The Planning Commission or City Council on appeal, shall consider the following factors, among others, in determining whether to grant an extension of time and the length of the term:
  - A. The nature of the use.
  - B. The amount of the owner's investment in improvements.
  - C. The convertibility of improvements to permitted uses.
  - D. The character of the neighborhood.
  - E. The detriment, if any, caused to the neighborhood by continuance of the nonconforming use.
  - F. The amount of time needed to amortize the investment.

(m) Proof of Amortization

The Planning Commission, or City Council on appeal, shall base its decision as to the length of the permitted amortization period on any competent evidence presented, including, but not limited to, the depreciation schedule attached to the owner's latest federal income tax return.

(n) Relocation

Where the Planning Commission finds that a nonconforming antenna, either in its present condition or as modified, can be used in compliance with the standards set forth in this Chapter for the zoning district in which it is located, the nonconforming antenna may be granted an extension sufficient to permit it to relocate on the site wherein such use is permitted and which has substantially equivalent utility for the use. In no event shall such extension be more than two (2) years.

(o) Antennas Used for Transmission Purposes

- (1) Except as provided in subsection (2) below, prior to the approval by the City for the installation of any non-exempt antenna, the applicant must submit a written statement that the antenna will not be used for transmission purposes; or that the use of the antennas for transmission purposes will not exceed EIRP levels of 80 dBW.
- (2) Antennas used for transmission purposes which exceed EIRP levels of 80 dBW may be approved by the Planning Commission subject to the imposition of reasonable conditions to protect the applicant and the public health and safety. Reasonable conditions shall include, but not be limited to, fencing, screening, warning signs, partial submersion below ground level, and other like conditions.
- (3) Any applicant aggrieved by a decision of or condition imposed by the Planning Commission may appeal that decision or condition to the City Council, pursuant to Section 2.04.080 et seq of this Code.

**17.80.030 Churches, Temples, religious institutions, non-profits and other similar institutions**

- (a) All churches, temples, religious institutions, non-profits and other similar institutions shall require a Location and Development Plan approval and Conditional Use Permit approval, as indicated in Appendix A.
- (b) All buildings, structures, setbacks, building height and landscaping shall be developed in a manner harmonious and compatible with development on surrounding properties.
- (c) Off-street parking spaces shall be required as per Chapter 17.65 and 17.15 of this Zoning Code. The number of parking spaces shall be determined in Table 65-2 of the aforementioned code section. Exterior parking areas shall be screened with landscaping to be compatible with and an enhancement to surrounding land uses.
- (d) All exterior lighting shall be designed, oriented, and constructed to shield adjacent properties from adverse glare effects.
- (e) Establishment of a church does not automatically permit any school, day nursery, kindergarten, or any congregation of persons for purposes other than religious

instruction, worship, or guidance. Any such additional uses shall be subject to the use requirements of the zoning district in which they are located.

- (f) Churches, Temples, religious institutions, non-profit and other similar institutions proposed to be located in residential zones shall only be allowed if vehicular access is from a Major Street/Boulevard, Collector Street, Activity Street or Loop Street-One Way, as identified in the Circulation Element of the General Plan

#### **17.80.040 Restrictions on Sales of Tobacco Products**

- (a) Definitions

The following words and phrases, whenever used in this article, shall have the meanings defined in this section unless the context clearly requires otherwise:

Tobacco Product means any product(s) that is used to consume tobacco or any product that contains any tobacco leaf, including but not limited to: cigarettes, cigars, cigarillos, blunts, snuff, dipping/chewing tobacco, flavored tobacco, tobacco water, tobacco paste, gutka, kretek, shisha, roll-your-own cigarettes, cigarette or cigar rolling papers, or pipes.

Tobacco Retailer means any person, retail establishment, or any other legal entity who knowingly sells, donates, distributes, or delivers to any person(s), for any form of consideration, tobacco products.

- (b) Zoning Regulations.

It is hereby declared that the sense and policy of this section is that no tobacco retailer shall be permitted to sell, donate, distribute, or deliver to any person(s), for any form of consideration, tobacco products within 1,000 feet of any playground, church, public library, school, or any childcare facility or similar entity providing structured, organized care for youth.

- (c) How Distance Measured.

The 1,000 foot distance provided for in Section 14.80.040 shall be measured as a person walks, using the sidewalk, from the nearest point of the property line of the playground, church, public library, school, or childcare facility or similar entity providing structured, organized care for youth, to the nearest of the property line of the tobacco retailer.

- (d) Nonconforming Uses

The City's nonconforming use rules, contained in Chapter 17.165 apply to this section. If a tobacco retailer has an interruption of the continuity of business for a period in excess of six months, in order to reopen for business, the requirements set forth above must be complied with.

- (e) Enforcement.

Enforcement of this chapter shall be the responsibility of the Community Development Director or his designee. In addition, any peace officer or code enforcement official also may enforce this chapter.

**17.80.050 Medical Marijuana Dispensaries**

A medical marijuana dispensary, as defined in Section 17.200.140 of this Title, is not an allowable use within any zone in the City of Adelanto and is expressly prohibited in all zones. No other definition or term utilized herein shall be interpreted to allow such use. Each individual zone in the City of Adelanto is hereby updated to prohibit medical marijuana dispensaries.

**17.80.060 Wind Energy Conversion Systems (WECS)**

- (a) Wind Energy Conversion Systems shall be classified into three (3) categories.
  - (1) Category One, consist of large WECS that have one or more units producing power for sale. This category generates power in excess of 500 Kw and does not provide power for onsite use. These systems require the approval of a Conditional Use Permit and Location and Development Plan and are allowed in the Manufacturing/Industrial (MI), Airport Development District (ADD), Public Utilities (PU) and Open Space, Public Land and Schools (OS) zones.
  - (2) Category Two, consist of medium WECS that provide power for existing onsite structures. These systems may have more than one unit but produce 500 Kw or less. These systems require the approval of a Minor Conditional Use Permit and Site Plan and are allowed in all zoning districts except Single Family Residential (R-S1, R1, R1-.5, R-S5) and Desert Living (DL-9, DL-5, DL-2.5).
  - (3) Category Three, consist of WECS that provide power for existing onsite single family residential structures. These systems may have more than one unit but produce 25 Kw or less. These systems require the approval of a site plan and can be pole/tower or roof mounted.
- (b) WECS installed in the DL zone may be 75' in height. All others shall comply with height limitations for the zoning district they are installed in.
- (c) All ground mounted pole/tower WECS shall be set back from property lines a distance that equals the total height of the system and shall have a locked anti-climb device installed or be un-climbable by design for the first 12 feet.
- (d) All pole mounted WECS shall be of the self supporting monopole type. WECS requiring the use of guyed wires are only permitted in the DL zone.
- (e) No WECS shall emit sounds which exceed 65 decibels at any time as measured from the property line.
- (f) All on-site wiring for WECS shall be installed underground.

- (g) All WECS shall be installed and operated so that the public health, safety, and welfare of neighboring property owners or occupants will not be jeopardized.

**17.80.070 Solar Energy Conversion Systems (SECS)**

- (a) Solar Energy Conversion Systems shall be classified into three (3) categories.
  - (1) Category One, consist of large SECS that have one or more units producing power for sale. This category generates power in excess of 500 Kw and does not provide power for onsite use. These systems require the approval of a Conditional Use Permit and Location and Development Plan and are allowed in the Manufacturing/Industrial (MI) and Airport Development District (ADD) zones.
  - (2) Category Two, consist of medium SECS that provide power for existing onsite structures. These systems may have multiple panels but produce 500 Kw or less. These systems require the approval of a Minor Conditional Use Permit and Site Plan and are allowed in all zoning districts except Single Family Residential (R1), (R1-.5) and Desert Living (DL).
  - (3) Category Three, consist of SECS that provide power for existing onsite single family residential structures. These systems may have multiple panels but produce 25 Kw or less. These systems require the approval of a site plan and can be ground or roof mounted.
- (b) All SECS shall comply with height limitations and setbacks for the zoning district they are installed in.
- (c) No SECS shall emit sounds which exceed 65 decibels at any time as measured from the property line.
- (d) All on-site wiring for SECS shall be installed underground.
- (e) All SECS shall be installed and operated so that the public health, safety, and welfare of neighboring property owners or occupants will not be jeopardized.

**17.80.80 Cultivation of Medical Marijuana**

- a) The purpose and intent of this Section is to regulate the cultivation of medical marijuana that is grown in accordance with State law in order to promote the health, safety, morals, and general welfare of the residents and businesses within the City.
- b) For purposes of this Section, the following definitions shall apply, unless the context clearly indicates otherwise:
  - (1) “City” means the City of Adelanto, California, a Charter Law City.

- (2) “City Manager” means the individual duly appointed by a majority of the City Council of the City to serve in the capacity as executive officer of the City on a permanent or interim basis.
  - (3) “Cultivation” or “marijuana cultivation” means cultivation of medical cannabis and industrial hemp either indoor or within external greenhouses.
  - (4) “Fully enclosed and secure structure” means a space within a building, greenhouse or other structure which has a complete roof enclosure supported by connecting walls extending from the ground to the roof, which is secure against unauthorized entry, provides complete visual screening, and which is accessible only through one or more lockable doors and inaccessible to minors.
  - (5) “Indoors” means within a fully enclosed and secure structure.
  - (6) “Medical Marijuana” and “Medical Cannabis” are defined in strict accordance with California Health and Safety Code section 11362.5 and 11362.8 *et seq.*
  - (7) “Outdoors” means any location within the City that is not within a fully enclosed and secure structure.
  - (8) “Permit” means a permit to own, operate and manage a Medical Marijuana facility for cultivation purposes only, pursuant to the terms and conditions of this Ordinance.
  - (9) “Permitee” means an applicant who has applied for and has been issued a Permit by the City for a Medical Marijuana Cultivation Permit pursuant to the terms and conditions of this Ordinance.
  - (10) “Primary caregiver” means a “primary caregiver” as defined in Section 11362.7(d) of the Health and Safety Code, as may be amended from time to time.
  - (11) “Qualified patient” means a “qualified patient” as defined in Section 11362.7(f) of the Health and Safety Code.
- c) All outdoor cultivation of marijuana within the City is prohibited. It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the City to cause or allow such parcel to be used for the outdoor cultivation, manufacture, or research of marijuana.
- d) It is hereby declared to be unlawful for any person owning, leasing, occupying, or having charge or possession of any property in the City to cause or allow such property to be used for the indoor cultivation of marijuana plants within a fully

enclosed and secure structure on the property, except as provided in subsections (d)(1) and (d)(2) of this section.

- (1) Indoor Cultivation Standards. Indoor Medical Marijuana Cultivation, within the City, shall be in conformance with the following standards:

Indoor Medical Marijuana Cultivation shall only be considered upon application and approval of a Marijuana Cultivation Permit in accordance with the criteria and process set forth in this Section.

- A. Indoor Medical Marijuana Cultivation is a conditionally permitted use only on property within the Manufacturing/Industrial (MI) zoning designation in the Industrial Park (the “Cultivation Zone”). No Medical Marijuana Cultivation shall be established, developed, or operated within two thousand five hundred (2,500) feet of a school, public playground or park, child care or day care facility, youth center, or church. All distances shall be measured in a straight line, without regard to intervening structures, from the nearest point of the building or structure in which the Medical Marijuana Cultivation is, or will be located, to the nearest property line of those uses describe in this Subsection.
- B. Indoor Medical Marijuana Cultivation is allowed only within fully enclosed and secure structures inaccessible to minors.
- C. Indoor Medical Marijuana Cultivation shall not exceed the square footage authorized pursuant to the Conditional Use Permit.
- D. From a public right-of-way, there shall be no exterior evidence of Indoor Medical Marijuana Cultivation.
- E. Indoor Medical Marijuana Cultivation shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products or wastes.
- F. The number of Medical Marijuana Cultivation Permits shall be limited to those that may be reasonably accommodated within the Cultivation Zone, as defined in B, above.
- G. The Medical Marijuana Cultivation facility shall comply fully with all of the applicable restrictions and mandates set forth in state law, including without limitation the Attorney General Guidelines. The Medical Marijuana Cultivation facility shall comply with all size requirements for such facilities imposed by State law. The Medical Marijuana Cultivation facility shall not engage in any activities not allowed at cultivation facilities pursuant to State law.

The Medical Marijuana Cultivation facility shall comply with all horticultural, labeling, processing, and other standards required by State law.

- H. There is no set restriction on the hours of operation of a Medical Marijuana Cultivation facility; however one may be established as a condition of approval of the Conditional Use Permit.
- I. Marijuana shall be kept in a secured manner during business and nonbusiness hours.
- J. All Medical Marijuana Cultivation facilities shall operate within a legal structure compliant with all applicable laws of the State of California.
- K. Any Medical Marijuana Cultivation facility must pay any applicable sales tax pursuant to federal, state, and local law. The facility shall be established as a “point of sale” within the City for sales tax purposes.
- L. On-site smoking, ingestion, or consumption of marijuana or alcohol shall be prohibited on the premises of the Medical Marijuana Cultivation facility. The term "premises" as used in this Subsection includes the actual building, as well as any accessory structures and parking areas. The building entrance to a Medical Marijuana Cultivation facility shall be clearly and legibly posted with a notice indicating that smoking, ingesting, or consuming marijuana on the premises or in the vicinity of the facility is prohibited.
- M. Signage for the Medical Marijuana Cultivation facility shall be limited to name of business only and in compliance with the City’s sign code, and no advertising of companies, brands, products, goods and/or services shall be permitted. Signage shall not include any drug-related symbols.
- N. Alcoholic beverages shall not be sold, stored, distributed, or consumed on the premises. A Medical Marijuana Cultivation facility shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages. In addition, alcohol shall not be provided, stored, kept, located, sold, dispensed, or used on the premises of the Medical Marijuana Cultivation facility.
- O. Physician services shall not be provided on the premises. "Physician services" does not include social services, including

counseling, help with housing and meals, hospice and other care referrals which may be provided on site.

- P. The building in which the Medical Marijuana Cultivation facility is located as well as the operations as conducted therein shall fully comply with all applicable rules, regulations, and laws including, but not limited to, zoning and building codes, the City's business license ordinances, the Revenue and Taxation Code, the Americans with Disabilities Act, and the Compassionate Use Act. Compliance with all requirements of state law pertaining to cultivation of marijuana as such state laws are amended is also required.
- Q. The Medical Marijuana Cultivation facility shall not distribute, sell, dispense, or administer marijuana out of its facility to the public. A Medical Marijuana Cultivation facility shall not be operated as a medical marijuana dispensary.
- R. **The operator of the facility shall** provide the City Manager with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom one can provide notice if there are operating problems associated with the Medical Marijuana Cultivation facility. The Medical Marijuana Cultivation facility shall make every good faith effort to encourage residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the police or planning departments.
- S. Any and all Permits permitting the operation of a Medical Marijuana Cultivation facility **shall be reviewed for compliance with this section every** twelve (12) months after issuance to the Permittee. **If permittee remains in good standing upon review, the permit continues indefinitely or until revoked by the City Manager for just cause.**
- T. The Permittee shall account for job creation in the City and shall commit to employing a workforce that resides in the City. A minimum of fifty percent (50%) of all employees employed by the Permittee at the cultivation facility, pursuant to this Permit, shall be residents of the City. Permittee shall use good faith efforts to comply with this subsection.

- (2) Marijuana Cultivation Permit. Prior to initiating operations and as a continuing requisite to conducting operations, the legal representative of the persons wishing to obtain a Marijuana Cultivation Permit shall obtain said permit from the City Manager under the terms and conditions set forth in this Section. The legal representative shall file an application with the City Manager upon a form provided by the City and shall pay a filing

fee as established by resolution adopted by the City Council as amended from time to time. An application for a Marijuana Cultivation Permit shall include, but shall not be limited to, the following information:

- A. An estimate of the size of the Indoor Medical Marijuana Cultivation facility.
- B. The address of the location for which the Marijuana Cultivation Permit is sought.
- C. A site plan and floor plan of the premises denoting all the use of areas on the premises, including storage, cultivation areas, lighting, signage, etc.
- D. A security plan including the following measures:
  - 1. Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 120 concurrent hours of digitally recorded documentation in a format approved by the City Manager. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras include, but are not limited to, the storage areas, cultivation areas, all doors and windows, and any other areas as determined by the City Manager;
  - 2. The facility shall be alarmed with an alarm system that is operated and monitored by a recognized security company;
  - 3. Entrance to the cultivation area and any storage areas shall be locked at all times, and under the control of staff of the cultivation facility;
  - 4. The entrance(s) and all window areas shall be illuminated during evening hours. The applicant shall comply with the City's lighting standards regarding fixture type, wattage, illumination levels, shielding, etc., and secure the necessary approvals and permits as needed; and
  - 5. All windows on the building that houses the cultivation facility shall be appropriately secured and all marijuana securely stored, and a reliable, commercial alarm system shall be installed and maintained.
- E. The name and address of any person who is managing or responsible for the Indoor Medical Marijuana Cultivation activities, and the names and addresses of any employees, if any, and a statement as to whether such person or persons has or have

been convicted of a crime(s), the nature of such offense(s), and the sentence(s) received for such conviction(s).

- F. The name and address of the owner and lessor of the real property upon which the Indoor Medical Marijuana Cultivation is to be conducted. In the event the applicant is not the legal owner of the property, the application must be accompanied with a notarized acknowledgement from the owner of the property that a Medical Marijuana Cultivation Facility will be operated on his/her property.
- G. Authorization for the City Manager to seek verification of the information contained within the application.
- H. Evidence that the Indoor Medical Marijuana Cultivation facility is organized in a legal structure compliant with all applicable laws of the State of California.
- I. A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information contained in the application is true and correct.
- J. Any such additional and further information as is deemed necessary by the City Manager to administer this Section.
- K. The City Manager shall conduct a background check of any applicant seeking a Permit, including any person who is managing or is otherwise responsible for the activities of the cultivation facility, and any employee at the cultivation facility (“Applicant’s Agents”), and shall prepare a report on the acceptability of the applicant and the Applicant’s Agents background and the suitability of the proposed location. Upon completing the review process, the City Manager may issue a Permit to any applicant that meets all the City requirements for said Permit, unless the City Manager finds that:
  - 1. The applicant has made one or more false or misleading statements, or omissions on the application or during the application process;
  - 2. The proposed Indoor Medical Marijuana Cultivation facility is not allowed by state or local law, statute, ordinance, or regulation, including this Code, at a particular location;
  - 3. The applicant is not a Primary Caregiver or Qualified Patient or the legal representative of the Indoor Medical Marijuana Cultivation facility;

4. The applicant, or any person who is managing or is otherwise responsible for the activities of the Indoor Medical Marijuana Cultivation facility, or any employee, if any, has been convicted of a felony, or convicted of a misdemeanor involving moral turpitude, or the illegal use, possession, transportation, distribution or similar activities related to controlled substances, with the exception of marijuana related offenses for which the conviction occurred prior to passage of Compassionate Use Act. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of *nolo contendere*;
  5. The applicant, or any person who is managing or is otherwise responsible for the activities of the Indoor Medical Marijuana Cultivation facility has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices; or
  6. The applicant has not satisfied each and every requirement of this Section.
- L. Based on the information set forth in the application and the City Manager's report, the City Manager may impose reasonable terms and conditions on the proposed operations in addition to those specified in this Section.
- M. The City Manager will accept applications for Medical Marijuana Cultivation Permits during a thirty (30) day period after adoption (Second Reading) of this Ordinance **and shall continue indefinitely or until no space is available in the cultivation zone.** Applications that have been determined to be qualified by the City Manager during the Application Period shall be considered by the City Manager for ultimate review and consideration. The City Manager shall rank all qualified applications in order of those that best satisfy the requirements of this Section and provide the highest level of service and opportunities for residents of the City based on the requirements of this Section and the following criteria: 1) the operations plan for the facility; 2) the security plan for the facility; 3) the experience of the operators of the facility; 4) the adequacy of capitalization for the facility and operation; and 5) the employment and other public benefits to the City. The City Manager may issue a reasonable number of Medical Marijuana Cultivation Permits, as determined by the City Manager, in his or her exclusive discretion, pursuant to the terms and conditions of this Ordinance, provided the number of Permits may be reasonably accommodated within the Cultivation Zone, as defined herein. Within thirty (30) days

after issuance of Medical Marijuana Cultivation Permits, the City Manager shall submit a written report to the City Council stating which applicants were issued Medical Marijuana Cultivation Permits.

- N. The obligations of the Indoor Medical Marijuana Cultivation facility, including all on-going and continuing obligations required pursuant to any provision of this Section or as may be provided in any conditional approval of the City Manager, shall be set forth in a covenant running with the land or the leasehold interest, approved as to form by the City Attorney, and enforceable by the City. Such covenant shall also provide that the Indoor Medical Marijuana Cultivation facility shall annually provide to the City Manager an updated application containing the information contained in Subsection (d)(2)A-J. To the fullest extent permitted by law, the City shall not assume any liability whatsoever, and expressly does not waive sovereign immunity, with respect to medical marijuana, or for the activities of any Indoor Medical Marijuana Cultivation facility. Upon receiving possession of a Medical Marijuana Cultivation Permit as provided in this Section, the facility shall:
1. Execute an Indemnification Agreement, prepared by the City, wherein, among other things, Permittee shall fully indemnify the City for any and all litigation that may arise in furtherance of this Ordinance;
  2. Carry insurance in the amounts and of the types that are acceptable to the City Manager;
  3. Name the City as an additionally insured;
  4. Agree to defend at its sole expense, any action against the City, its agents, officers, and employees because of the issues of such approval; and
  5. Agree to reimburse the City for any court costs and attorney fees that the City may be required to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the operator of its obligation hereunder.
- O. All Medical Marijuana Cultivation facilities shall be required to enter into an agreement with the City that fully reimburses the City for all costs of the City resulting from the existence of such facilities in the City and provides the City with revenue to offset

the potential deleterious effects of the location of Medical Marijuana Cultivation facilities within the jurisdiction of the City.

P. Enforcement

1. Recordings made by the security cameras shall be made available to the City Manager upon verbal request; no search warrant or subpoena shall be needed to view the recorded materials;
2. The City Manager, or the City Manager's designee, shall have the right to enter the Indoor Medical Marijuana Cultivation facility from time to time unannounced for the purpose of making reasonable inspections to observe and enforce compliance with this Section and all laws of the City and State of California;
3. Operation of the cultivation facility in non-compliance with any conditions of approval or standards of this Section shall constitute a violation of the Municipal Code and shall be enforced pursuant to the provisions of this Code;
4. The City Manager may revoke a Medical Marijuana Cultivation Permit if any of the following, singularly or in combination, occur:
  - (a) The City Manager determines that the Indoor Medical Marijuana Cultivation facility has failed to comply with this Section, any condition or approval, or any agreement or covenant as required pursuant to this Section;
  - (b) Operations cease for more than 90 calendar days, including during change of ownership proceedings;
  - (c) Ownership of the Medical Marijuana Cultivation facility is changed or transferred to third party;
  - (d) The Indoor Medical Marijuana Cultivation facility fails to maintain 120 hours of security recordings; or
  - (e) The Indoor Medical Marijuana Cultivation facility fails to allow inspection of the security recordings, the activity logs, or of the premise by authorized City officials.

5. Any decision regarding the revocation of a Medical Marijuana Cultivation Permit may be appealed to an independent neutral, third party, appointed by the City Manager (the “Neutral”). Said appeal shall be made by a notice of appeal from the person appealing within thirty (30) days from the date of the decision. The appeal shall be accompanied by a fee, which shall be established by resolution of the City Council amended from time to time, and a written, verified declaration setting forth the basis for the claim that the Permit was improperly approved, denied, conditioned or revoked. The appeal decision rendered by the Neutral shall be binding upon the City and the appellant.

Q. Any and all permits, rights or entitlements permitting the operation of a Medical Marijuana Cultivation facility shall **be reviewed for compliance with this section every twelve (12) months after issuance to the Permittee. If permittee remains in good standing upon review, the permit continues indefinitely or until revoked by the City Manager for just cause.** Unless extended, upon the conclusion of the twelve (12) month **review** period, Medical Marijuana Cultivation facilities for the expired Permittee shall be a prohibited use and any rights obtained pursuant to this Section or any other rules or agreements shall cease as to the respective Permittee.

R. Medical Marijuana Cultivation Permit issued pursuant to this Section is not transferable to a third party by the applicant, under any circumstances.

S. Oversight Committee. The City shall create an Oversight Committee to oversee activities of the Permittee(s) to ensure that all applicable local, state, and federal laws are in compliance, and to assure that all restrictive covenants of this Ordinance are enforced, and that no illegal activity is conducted on the premises. The City’s Oversight Committee shall have full authority to review all proposed applications, applicants, business proposals, financial resources, merit and overall business plan when deciding to which entities will receive the proposed Permit as outlined herein. The Oversight Committee shall be appointed by the City Council and shall consist of five (5) total members with one (1) member from code enforcement, one (1) member from planning, and three (3) at-large appointments. The City’s Oversight Committee shall be assembled and shall take effect on or after January 1, 2016.

## **17.80.090 Medical Marijuana Research, Development and Processing**

- (a) The City intends to be on the forefront in the field of medical cannabis, research, development and processing thereof. The City seeks to be on the cutting-edge of the regulation, manufacturing and processing of medical marijuana through the issuance of a Medical Marijuana Research Development and Processing Permit to qualified applicants. In order to further establish and regulate quality and safety standards for the future regulation of medical marijuana processing, the City may approve qualified applicants for a Medical Marijuana Research Development and Processing Permit as follows:
- (1) The purpose and intent of this Section is to regulate the research, development, processing and manufacturing of medical marijuana that is grown in accordance with State law in order to promote the health, safety, morals, and general welfare of the residents and businesses within the City.
- A. “Medical Marijuana Research Development and Processing Permit” means a permit to own, operate and manage a Medical Marijuana Research Development Processing facility for the purposes of research, development and processing of commercially available Cannabis infused edibles and vaporizable products.
- (2) Medical Marijuana Research Development and Processing Standards. Medical Marijuana Research Development and Processing, within the City, shall be in conformance with the following standards:
- A. Medical Marijuana Research Development and Processing shall only be considered upon application and approval of a Medical Marijuana Research Development and Processing Permit in accordance with the criteria and process set forth in this section.
- B. Only those entities with a current City of Adelanto cultivation permit will be eligible for a Medical Marijuana Research Development and Processing Permit.
- C. Marijuana Research Development and Processing is a conditionally permitted use only on property within the Manufacturing/Industrial (MI) zoning designation in the Industrial Park (the “Cultivation Zone”). No Medical Marijuana Research Development and Processing facility shall be established, developed, or operated within two thousand five hundred (2,500) feet of a school, public playground or park, child care or day care facility, youth center, or church. All distances shall be measured in a straight line, without regard to intervening structures, from the nearest point of the building or structure in which the Medical Marijuana Research Development and Processing facility is, or

will be located, to the nearest property line of those uses described in this Subsection.

- D. Medical Marijuana Research Development and Processing is allowed only within fully enclosed and secure structures inaccessible to minors.
- E. Medical Marijuana Research Development and Processing shall not exceed the square footage authorized pursuant to the Conditional Use Permit.
- F. From a public right-of-way, there shall be no exterior evidence of Medical Marijuana Research Development and Processing.
- G. Medical Marijuana Research Development and Processing shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products or wastes.
- H. The number of Medical Marijuana Research Development and Processing Permits shall be limited to those that may be reasonably accommodated within the Cultivation Zone, as defined in C, above.
- I. The Medical Marijuana Research Development and Processing facility shall comply fully with all of the applicable restrictions and mandates set forth in state law, including without limitation the Attorney General Guidelines. The Medical Marijuana Research Development and Processing facility shall comply with all size requirements for such facilities imposed by State law. The Medical Marijuana Research Development and Processing facility shall not engage in any activities not allowed at Medical Marijuana Research Development and Processing facilities pursuant to State law. The Medical Marijuana Research Development and Processing facility shall comply with all manufacturing, labeling, processing, and other standards required by State law.
- J. There is no set restriction on the hours of operation of a Medical Marijuana Research Development and Processing facility; however these restrictions, and others, may be established as a condition of approval of the Conditional Use Permit.
- K. Marijuana shall be kept in a secured manner during business and nonbusiness hours.

- L. All Medical Marijuana Research Development and Processing facilities shall operate within a legal structure compliant with all applicable laws of the State of California.
- M. Any Medical Marijuana Research Development and Processing facility must pay any applicable sales tax pursuant to federal, state, and local law. The facility shall be established as a “point of sale” within the City for sales tax purposes.
- N. On-site smoking, ingestion, or consumption of marijuana or alcohol shall be prohibited on the premises of the Medical Marijuana Research Development and Processing facility. The term "premises" as used in this Subsection includes the actual building, as well as any accessory structures and parking areas. The building entrance to a Medical Marijuana Research Development and Processing facility shall be clearly and legibly posted with a notice indicating that smoking, ingesting, or consuming marijuana on the premises or in the vicinity of the facility is prohibited.
- O. Signage for the Medical Marijuana Research Development and Processing facility shall be limited to name of business only and in compliance with the City’s sign code, and no advertising of companies, brands, products, goods and/or services shall be permitted. Signage shall not include any drug-related symbols.
- P. Alcoholic beverages shall not be sold, stored, distributed, or consumed on the premises. A Medical Marijuana Research Development and Processing facility shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages. In addition, alcohol shall not be provided, stored, kept, located, sold, dispensed, or used on the premises of the Medical Marijuana Research Development and Processing facility.
- Q. Physician services shall not be provided on the premises. "Physician services" includes, but is not limited to, social services, including counseling, help with housing and meals, hospice and other care referrals which may not be provided on site.
- R. The building in which the Medical Marijuana Research Development and Processing facility is located as well as the operations as conducted therein shall fully comply with all applicable rules, regulations, and laws including, but not limited to, zoning and building codes, the City's business license ordinances, the Revenue and Taxation Code, the Americans with Disabilities Act, and the Compassionate Use Act. Compliance with all

requirements of state law pertaining to research development and processing/manufacturing of marijuana as such state laws are amended is also required.

- S. The Medical Marijuana Research Development and Processing facility shall not distribute, sell, dispense, or administer marijuana out of its facility to the public. A Medical Marijuana Research Development and Processing facility shall not be operated as a medical marijuana dispensary.
- T. The operator of the facility shall provide the City Manager with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom one can provide notice if there are operating problems associated with the Medical Marijuana Research Development and Processing facility. The Medical Marijuana Research Development and Processing facility shall make every good faith effort to encourage residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the police or planning departments.
- U. Any and all permits, rights or entitlements permitting the operation of a Medical Marijuana Research Development and Processing facility shall be reviewed for compliance with this section every twelve (12) months after issuance to the Permittee. If permittee remains in good standing upon review, the permit continues indefinitely or until revoked by the City Manager for just cause. Unless extended, upon the conclusion of the twelve (12) month review period, Medical Marijuana Research Development and Processing facilities for the expired Permittee shall be a prohibited use and any rights obtained pursuant to this Section or any other rules or agreements shall cease as to the respective Permittee..
- V. Permittee shall account for job creation in the City and shall commit to employing a workforce that resides in the City. A minimum of fifty percent (50%) of all employees employed by the Permittee at the processing facility, pursuant to this Permit, shall be residents of the City. Permittee shall use good faith efforts to comply with this subsection.
- W. A Medical Marijuana Research Development and Processing facility may be located within the same building or structure as a Medical Marijuana Cultivation facility, only if the Medical Marijuana Processing facility is located in separate room(s) of the facility, and only if the Medical Marijuana Research Development and Processing facility has its own, separate entrance.

- X. A Medical Marijuana Research Development and Processing facility must employ full time quality control personnel. For any edible products, the Permittee must establish Standard Operating Procedures and Batch Records that comply with current Good Manufacturing Practices for food products, as outlined by the California Department of Public Health and the Food and Drug Administration.
- Y. All finished products produced by a Medical Marijuana Research Development and Processing facility must be labeled in compliance with the labeling requirements outlined by the California Department of Public Health, as well as comply with any applicable Marijuana specific labeling requirements established by California Medical Marijuana statutes or codes.
- Z. All finished products produced by a Medical Marijuana Research Development and Processing facility must be packaged in child resistant containers, prior to becoming commercially available and, therefore, leaving the facility.
- AA. All batches of final product must be tested by a third party laboratory for potency of cannabinoids, residual solvents, mold, pesticides, and any other contaminants as may be outlined in California Medical Marijuana statutes or codes. In the event that the State of California requires testing by a State certified laboratory, the Permittee shall comply with such regulation.
- BB. A Medical Marijuana Research Development and Processing facility may only use solvents, which have been approved by the Food and Drug Administration for the processing or preparation of botanical, dietary supplements or food grade products.
- CC. All processing or analytical testing devices used in a Medical Marijuana Research Development and Processing facility must be UL listed, or otherwise approved for the intended use by the local Building Department and/or Fire Department. Any processing devices using only non-pressurized water are exempt from such approval.
- DD. Any processing device used in a Medical Marijuana Research Development and Processing facility, which utilized hydrocarbons or otherwise flammable solvents, must operate in a closed loop or in such a way that all solvent material is recovered in the process. All hazardous material must be disposed of in a manner which is compliant with all local, state, and federal guidelines for the disposal of hazardous materials.

EE. All Medical Marijuana Research Development and Processing facilities shall be required to enter into an agreement with the City that fully reimburses the City for all costs of the City resulting from the existence of such facilities in the City and provides the City with revenue to offset the potential deleterious effects of the location of Medical Marijuana Research Development and Processing facilities within the jurisdiction of the City.

(3) Medical Marijuana Research Development and Processing Permit. Prior to initiating operations and as a continuing requisite to conducting operations, the legal representative of the persons wishing to obtain a Medical Marijuana Research Development and Processing Permit shall obtain said permit from the City Manager under the terms and conditions set forth in this Section. The legal representative shall file an application with the City Manager upon a form provided by the City and shall pay a filing fee as established by resolution adopted by the City Council as amended from time to time. An application for a Medical Marijuana Research Development and Processing Permit shall include, but shall not be limited to, the following information:

- A. An estimate of the size of the Medical Marijuana Research Development and Processing facility.
- B. The address of the location for which the Medical Marijuana Research Development and Processing Permit is sought.
- C. A site plan and floor plan of the premises denoting all the use of areas on the premises, including storage, processing areas, lighting, signage, etc.
- D. A security plan including the following measures:
  - 1. Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 120 concurrent hours of digitally recorded documentation in a format approved by the City Manager. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras include, but are not limited to, the storage areas, cultivation areas, all doors and windows, and any other areas as determined by the City Manager;
  - 2. The facility shall be alarmed with an alarm system that is operated and monitored by a recognized security company;
  - 3. Entrance to the processing area and any storage areas shall be locked at all times, and under the control of staff of the processing facility;

4. The entrance(s) and all window areas shall be illuminated during evening hours. The applicant shall comply with the City's lighting standards regarding fixture type, wattage, illumination levels, shielding, etc., and secure the necessary approvals and permits as needed; and
  5. All windows on the building that houses the processing facility shall be appropriately secured and all marijuana securely stored, and a reliable, commercial alarm system shall be installed and maintained.
- E. The name and address of any person who is managing or responsible for the Medical Marijuana Research Development and Processing activities, and the names and addresses of any employees, if any, and a statement as to whether such person or persons has or have been convicted of a crime(s), the nature of such offense(s), and the sentence(s) received for such conviction(s).
  - F. The name and address of the owner and lessor of the real property upon which the Indoor Medical Marijuana Research Development and Processing is to be conducted. In the event the applicant is not the legal owner of the property, the application must be accompanied with a notarized acknowledgement from the owner of the property that a Medical Marijuana Research Development and Processing Facility will be operated on his/her property.
  - G. Authorization for the City Manager to seek verification of the information contained within the application.
  - H. Evidence that the Indoor Medical Marijuana Research Development and Processing facility is organized in a legal structure compliant with all applicable laws of the State of California.
  - I. A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information contained in the application is true and correct.
  - J. Any such additional and further information as is deemed necessary by the City Manager to administer this Section.
  - K. The City Manager shall conduct a background check of any applicant seeking a Permit, including any person who is managing or is otherwise responsible for the activities of the Medical Marijuana Research Development and Processing facility, and any employee at the Medical Marijuana Research Development and Processing facility ("Applicant's Agents"), and shall prepare a

report on the acceptability of the applicant and the Applicant's Agents background and the suitability of the proposed location. Upon completing the review process, the City Manager may issue a Permit to any applicant that meets all the City requirements for said Permit, unless the City Manager finds that:

1. The applicant has made one or more false or misleading statements, or omissions on the application or during the application process;
  2. The proposed Medical Marijuana Research Development and Processing facility is not allowed by state or local law, statute, ordinance, or regulation, including this Code, at a particular location;
  3. The applicant is not a Primary Caregiver or Qualified Patient or the legal representative of the Medical Marijuana Research Development and Processing facility;
  4. The applicant, or any person who is managing or is otherwise responsible for the activities of the Medical Marijuana Research Development and Processing facility, or any employee, if any, has been convicted of a felony, or convicted of a misdemeanor involving moral turpitude, or the illegal use, possession, transportation, distribution or similar activities related to controlled substances, with the exception of marijuana related offenses for which the conviction occurred prior to passage of Compassionate Use Act. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of *nolo contendere*;
  5. The applicant, or any person who is managing or is otherwise responsible for the activities of the Medical Marijuana Research Development and Processing facility has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices; or
  6. The applicant has not satisfied each and every requirement of this Section.
- L. Based on the information set forth in the application and the City Manager's report, the City Manager may impose reasonable terms and conditions on the proposed operations in addition to those specified in this Section.
- M. The City Manager will accept applications for Medical Marijuana Research Development and Processing Permits during a thirty (30)

day period after adoption (Second Reading) of this Ordinance and shall continue indefinitely or until no space is available in the cultivation zone. Applications that have been determined to be qualified by the City Manager during the Application Period shall be considered by the City Manager for ultimate review and consideration. The City Manager shall rank all qualified applications in order of those that best satisfy the requirements of this Section and provide the highest level of service and opportunities for residents of the City based on the requirements of this Section and the following criteria: 1) the operations plan for the facility; 2) the security plan for the facility; 3) the experience of the operators of the facility; 4) the adequacy of capitalization for the facility and operation; and 5) the employment and other public benefits to the City. The City Manager may issue a reasonable number of Medical Marijuana Research Development and Processing Permits, as determined by the City Manager, in his or her exclusive discretion, pursuant to the terms and conditions of this Ordinance, provided the number of Permits may be reasonably accommodated within the Cultivation Zone, as defined herein. Within thirty (30) days after issuance of Medical Marijuana Research Development and Processing Permits, the City Manager shall submit a written report to the City Council stating which applicants were issued Medical Marijuana Research Development and Processing Permits.

N. The obligations of the Medical Marijuana Research Development and Processing facility, including all on-going and continuing obligations required pursuant to any provision of this Section or as may be provided in any conditional approval of the City Manager, shall be set forth in a covenant running with the land or the leasehold interest, approved as to form by the City Attorney, and enforceable by the City. Such covenant shall also provide that the Medical Marijuana Research Development and Processing facility shall annually provide to the City Manager an updated application containing the information contained in Subsection (d)(2)A-J. To the fullest extent permitted by law, the City shall not assume any liability whatsoever, and expressly does not waive sovereign immunity, with respect to medical marijuana, or for the activities of any Medical Marijuana Research Development and Processing facility. Upon receiving possession of a Medical Marijuana Research Development and Processing Permit as provided in this Section, the facility shall:

1. Execute an Indemnification Agreement, prepared by the City, wherein, among other things, Permittee shall fully indemnify the City for any and all litigation that may arise in furtherance of this Ordinance;

2. Carry insurance in the amounts and of the types that are acceptable to the City Manager;
3. Name the City as an additionally insured;
4. Agree to defend at its sole expense, any action against the City, its agents, officers, and employees because of the issues of such approval; and
5. Agree to reimburse the City for any court costs and attorney fees that the City may be required to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the operator of its obligation hereunder.

O. Enforcement

1. Recordings made by the security cameras shall be made available to the City Manager upon verbal request; no search warrant or subpoena shall be needed to view the recorded materials;
2. The City Manager, or the City Manager's designee, shall have the right to enter the Medical Marijuana Research Development and Processing facility from time to time unannounced for the purpose of making reasonable inspections to observe and enforce compliance with this Section and all laws of the City and State of California;
3. Operation of the Medical Marijuana Research Development and Processing facility in non-compliance with any conditions of approval or standards of this Section shall constitute a violation of the Municipal Code and shall be enforced pursuant to the provisions of this Code;
4. The City Manager may revoke a Medical Marijuana Research Development and Processing Permit if any of the following, singularly or in combination, occur:
  - (a) The City Manager determines that the Medical Marijuana Research Development and Processing facility has failed to comply with this Section, any condition or approval, or any agreement or covenant as required pursuant to this Section;
  - (b) Operations cease for more than 90 calendar days, including during change of ownership proceedings;

- (c) Ownership of the Medical Marijuana Research Development and Processing facility is changed or transferred to third party;
  - (d) The Medical Marijuana Research Development and Processing facility fails to maintain 120 hours of security recordings; or
  - (e) The Medical Marijuana Research Development and Processing facility fails to allow inspection of the security recordings, the activity logs, or of the premise by authorized City officials.
5. Any decision regarding the revocation of a Medical Marijuana Research Development and Processing Permit may be appealed to an independent neutral, third party, appointed by the City Manager (the “Neutral”). Said appeal shall be made by a notice of appeal from the person appealing within thirty (30) days from the date of the decision. The appeal shall be accompanied by a fee, which shall be established by resolution of the City Council amended from time to time, and a written, verified declaration setting forth the basis for the claim that the Permit was improperly approved, denied, conditioned or revoked. The appeal decision rendered by the Neutral shall be binding upon the City and the appellant.
- P. Medical Marijuana Research Development and Processing Permit issued pursuant to this Section is not transferable to a third party by the applicant, under any circumstances.

## Appendix A: Regulation of Uses by Zoning District

### KEY:

P = Use permitted by right with Location and Development Plan Approval (subject to all local, State, and other applicable Code requirements)

C = Use requires Conditional Use Permit (Chapter 17.30 Adelanto Zoning Code)

Cm = Use Requires a Minor Conditional Use Permit (Chapter 17.30 Adelanto Zoning Code)

A = Use permitted as accessory use only (when such use is directly related to the primary use)

T = Use permitted as temporary use only (see Chapter 17.75)

Residential Zoning Districts:	Commercial and Mixed Use Zoning Districts:	Business Park and Manufacturing Zoning Districts	Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts
DL-9 = Desert Living 1 unit/9 acres	C = General Commercial	LM = Light Manufacturing	PU=Public Utility
DL-5 = Desert Living 1 unit/5 acres	MU = Mixed Use	MI = Manufacturing Industrial	PF = Public Facility
DL-2.5 = Desert Living 1 unit/2.5 acres		ADD = Airport Development District	OS = Open Space
R-S1 = Single Family Residential		BP = Business Park	DE = Greenbelt Corridor: Drainage Easement
R1-.5 = Single Family Residential (1/2 Acre)			UE = Greenbelt Corridor: Utility Easement
R1 = Single Family Residential			
R-S5 = Single Family Residential			
R3-8 = Medium Density Residential			
R-M12 = Medium Density Residential			

Residential R3-30 =  
High Density  
Residential  
AP = Airport Park

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
<b>AGRICULTURAL PRODUCTION and ANIMAL SERVICES<sup>7</sup></b>																				
Animal Keeping (subject to provisions of Title 7- Animals) <sup>11</sup>	A	A	A	A	A	A	A	A	A											
Animal Shelter (on lots greater than 2.5 acres only)									Cm			C	C	C	C					
Feed and Grain Sales	C										P	P	P							
Horses (Boarding and Raising as a Business), Kennels (subject to provisions of Title 7- Animals on lots greater than 2.5 acres only)	C																			
Taxidermist												P	P	P						
Veterinarian/Veterinary Hospital/Pet Grooming	C									P	P	P	P	P	P					
Medical Marijuana Cultivation <sup>12</sup>													C							
Medical Marijuana Research Development and Processing <sup>12</sup>													C							
<b>RESIDENTIAL</b>																				
Bed and Breakfast	P					P	P		P	P	P									
Dwelling Unit, Multiple Family, Two-Family (Duplex), Condominium						P	P	P		P										
Dwelling Unit, Single-Family (detached)	P	P	P	P	P		P		P									P		
Dwelling Unit - Second Units/Dependent Housing/Granny Flats	P	P	P	P	P	P	P		P											
Day Care Center, Adult Day Health and Child Care (Subject to California Department of Social Services:	C		C		C	C	C	C		C	C				C	C	C			
Day Care Home, Large Family (14 or fewer children), (Subject to California	C	C	C	C	C	C	C	C												

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
Department of Social Services)																				
Day Care Home, Small Family (8 or fewer children) (Subject to California Department of Social Services)	P	P	P	P	P	P	P	P		C										
Group Homes not licensed by the State with 2 or more residents	C	C	C	C	C															
Single Room Occupancy Facilities	P	P	P	P	P	P	P	P		P										
Transitional and Supportive Housing	P	P	P	P	P	P	P	P		P										
Emergency and Homeless Shelters	P											C	C	C						
Residential Care Facility (7 or more persons)	C	C	C	C	C	C	C													
Residential Care Facility for 6 or fewer persons (includes facilities licensed and/or controlled by California Department of Social Services)	P	P	P	P	P	P	P	P												
Home Occupation (Use allowed subject to Chapter 17.95)	A	A	A	A	A	A	A	A	A	A										
Fraternal/Sorority Hall, Rooming										P	P	C	C							
Manufactured Home, Mobile Home (includes individual unit placed in a residential subdivision)	P	P	P	P	P				P											
Manufactured/Mobile Home Parks	C																			
Mobile Homes Sales											P	P								
Model Home	T	T	T	T	T	T	T	T												
Game Courts (Badminton/Tennis/Racquetball/Other) and Swimming Pool, Private	A	A	A	A	A	A	A	A												
<b>INSTITUTIONAL</b>																				
<b>Educational</b>																				

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
Education Institution (including private, commercial, and vocational schools, **card room related training only)									C1	C	C	C	C		P					
Education Institution, Public (Subject to LDP approval)	P	P	P	P	P	P	P				P	P			P	P	P			
Prisons/Correctional Facilities												C	C		C					
<b>Medical</b>																				
Chiropractic/Physical Therapy Office										P	P	P			P					
Hospitals and Clinics										P	C	C		C	P	C	C			
Medical/Dental Offices										P	P	P	P	P	P					
Laboratories, Medical and Dental											C	P	P	P	P					
Pharmacy (see also Drugstore) <sup>2, 9</sup>										P	P	P			P					
Convalescent Hospital, Skilled Nursing Facility	C	C	C	C	C	C	C	C			P									
<b>Public</b>																				
Conference or Convention Centers										P		C	C	C	C	P	C			
Parks, Plazas and Trails	P	P	P	P	P	P	P			P					P		P	P	P	P
Visitor Centers										P	P									
<b>Religious/Non-Profit</b>																				
Churches, Temples, other religious institutions, non-profits (except administrative offices- see Offices). In residential zones, vehicular access shall be only from major arterial or major collector as designated in the General Plan Circulation Element.	C	C	C	C	C	C	C	C		C	P	P		C	C	C	C			
<b>COMMERCIAL</b>																				
<b>Alcoholic Beverage Establishments</b>																				

LAND USE	ZONE DISTRICT																				
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts					
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE	
Alcoholic Beverage Onsite Sales in establishments open to persons over the legal drinking age exclusively, not allowed within 1,000 feet of any residential zoning district or residential use, churches, parks, and/or educational institutions <sup>3</sup>										C											
Alcoholic Beverage Onsite Sales in establishments open to persons over the legal drinking age exclusively, more than 1,000 feet from any residential zoning district or residential use, churches, parks, and/or educational institutions <sup>3</sup>										C	C	C	C	C	C	C	C				
Alcoholic Beverage Onsite Sales as part of a bona fide sit down (non-age-restricted) restaurant <sup>3</sup>										P	P	P	P	P	P	P					
Alcoholic Beverage Offsite Sales within a supermarket or drug store <sup>2,3,9</sup>										P	P	P	P	P	P	P					
Alcoholic Beverage Offsite Sales in any store other than a supermarket or drug store <sup>2,3,9</sup>										C	C	C	C	C	C	C					
Wineries <sup>3</sup>	C											P	P	P							
<b>Automobile, Vehicle Rentals and Sales Related Uses</b>																					
Automobile Auction												C	C	C							
Automobiles/Recreational Vehicles/Boats/Motorcycles/Trucks <sup>4</sup> , Sales- New & Used, and Rentals											P	P	P	P							
Service Station/Gas Station (Petroleum Products), including automobile service and Car Wash <sup>4,9</sup>											C	P	P	P							
Parking Lot and Parking Garages, Public <sup>4</sup>										C	P	P	P	P	C						

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
<b>Automobile, Vehicle Service and Repair</b>																				
Automobile Accessory Sales and Installation, including parts supply (No overnight outside storage or parking; body work prohibited) <sup>4,6</sup>												P	P	P	P					
Automobile Service (Lubrication, Tune-ups, emission tests, batteries, mufflers, etc. No use of impact wrenches or other equipment that could create noise impacts; No overnight outside storage or parking; Paint, body work, upholstery prohibited) <sup>4,6</sup>												C	P	P	P					
Automobile Minor Repair (Brakes, tires, radiators, electrical, etc. No overnight outside storage or parking; Paint, body work, upholstery prohibited) <sup>4,6l</sup>												C	P	P	P					
Automobile Paint, Body, and Upholstery Shops <sup>4,6</sup>													C	C	C					
<b>Communications/Utilities Distribution and Transmission</b>																				
Cellular, Microwave Antenna/Towers and related equipment buildings <sup>8</sup>										C	C	C	C	C	C	C	C	C		C
Gas Distribution, Meter, and Control Station													P	P	P			P		C
Electricity Distribution & Transmission Substation (<5,000 SF)	C	C	C	C	C	C	C	C	C			P	P	P	P		P	P	C	C
Electricity Distribution & Transmission Substation (>5,000 SF)												C	C	C	C			C	C	C
Power Generating Facilities, Solar Energy and/or Wind Energy Conversion Systems >500 Kw <sup>10</sup>													C	C	C				C	C
Solar Energy and/or Wind Energy Conversion Systems <500 Kw						Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	C	Cm

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
Solar Energy and/or Wind Energy Conversion Systems <25 Kw	P	P	P	P	P	P	P	P	P	P								C		
Radio/Television Broadcasting Studios (including Recording Studios)										P	P	P	P	P	P	A	A			
Telephone Repeater Stations	C	C	C	C	C	C	C	C		C	P	P	P	C	C	P	C			C
<b>Eating and Drinking Establishments</b>																				
Bakery, Coffeehouse, Delicatessen, Ice Cream Parlor, and other similar eating establishments <sup>2</sup>									C	P	P	P	P	P	P	P				
Catering Service									C	P	P	P	P	P	P					
Nightclubs/Taverns/Bars <sup>3,9</sup>										C	C	C			C					
Restaurant, No Alcohol Sales									C	P	P	P	P	P	P		P			
Restaurant, Drive-Thru <sup>2</sup> , no alcohol sales									C		C	C	C	C						
Restaurant, with Alcohol Sales <sup>3</sup>	See " Alcoholic Beverage Onsite Sales"																			
<b>Entertainment/Recreation</b>																				
Adult Business (subject to Adult Business Ordinance)													C							
Amusement Park, Entertainment Center (including Arcade, Live Theater, Bowling, Ice and Roller Skating, Indoor Soccer and Hockey Arena)										C	C	C	C			C				
Billiard/Pool Hall <sup>9</sup>										C	C	C		C						
Batting Cages, Indoor or Outdoor											P	P	P	P		P				
Card Rooms <sup>9</sup>										C	C									
Carnival, Circus, or Fair										T	T	T	T	T		T	T			
Club - Athletic, Health, or Recreation (including Dance Studios)										P	P	P	P	P	P	P				
Dance Hall/Dance Club										C	C	C	C	C						

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
Game Courts, Commercial										P	P	P	P	P	P	P	P			
Golf Course and Driving Range, Clubhouse, Country Club	C	C	C	C	C	C	C				C	C		C			C			
Movie Theater										P	P									
Shooting Range, Indoor and Outdoor (outdoor ranges prohibited in the C and OS)											C	C	C				C			
Stable, Public (Boarding/Riding) and Private - Boarding allowed as accessory use in DL	P								A								C			
<b>Food and Beverage Stores</b>																				
Convenience Market, Health Food Store <sup>2,3,9</sup>									C	P	P	P				P				
Drug store <sup>2,3,9</sup>										P	P	P								
Grocery Store, Retail, Discount, and Club Stores <sup>2,3,9</sup>										P	P	P	P	P						
<b>General Merchandise Stores</b>																				
Department Store, Specialty Stores										P	P									
Discount Stores, Home Improvement Center										P	P	P								
<b>Lodging</b>																				
Hotel, Motel *(more than 50 rooms requires a CUP)										P	P*	P				P				
Recreational Vehicle Park and Campgrounds												C	C							C
<b>Offices</b>																				
Administrative, Professional, and Other Related Offices										P	P	P	A	A	P	A				
Financial Institutions (Banks, Credit Unions, Check Cashing, Pay Advance,										P	P	P	P	P	P					

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
Money Transfer, etc.) <sup>2</sup>																				
<b>Business Services</b>																				
Copy Services, Postal Services, and Parcel Delivery Service										P	P	P	P	P	P					
<b>Personal Services<sup>7</sup></b>																				
Barber/Beauty Shop/Cosmetologist/Massage Parlor/Acupuncturist										P	P	P								
Cemetery/Mausoleums	C																			C
Dressmaker/Tailor Shop										P	P	P			P					
Dry Cleaner (Storefront Type); Laundry Service <sup>2</sup>										P	P	P		P	P					
Funeral Parlor, Mortuary										C	C	P		P						
<b>Repair and Maintenance Services<sup>7</sup></b>																				
Shoe and Watch Repair/Sales, Locksmith										P	P	P	P	P	P		A			
Janitorial Service, Pest Control Service										P	P	P	P	P	P					
<b>Retail<sup>7</sup></b>																				
Temporary Uses and Structures (Subject to Section 17.75)	T									T	T	T	T	T	T	T	T			
General Retail Sales (including the following: Antiques, Appliance Sales/Repairs; Art Gallery/Supplies; Books/Music; Clothing/Accessories; Costumes; Coins/Collectables; Food Products; Glass Shops/Studios; Hardware; Hobby, Gift, and Floral Shops; Home Improvement Goods/Home Furnishings; Medical Supplies; Newsstands; Nursery/Garden									C <sup>1</sup>	P	P	P	P	P	C	A				

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
Equipment; Office Equipment/Supplies; Pet Shop; Photography Studio/Photofinishing; Sporting Goods; Toy Stores <sup>9</sup>																				
Pawnshop, Secondhand Store										P	P	P								
<b>INDUSTRIAL<sup>7</sup></b>																				
Ambulance Service												P	P							
Printing, Publishing, Bookbinding (including Lithographic and Newspaper Printing)										P		P	P	P	P					
Recreational Vehicle Repair, Supplies									C <sup>1</sup>			P	P	P						
Laboratories, Chemical, Research, and Testing												C	C	C	C					
Machine/Sheet Metal Shop, Metal Engraving, Silk Screen Shop									C <sup>1</sup>	C		P	P	P	P					
Industrial/Heavy Equipment, Sales, Service, and Rental (including, but not limited to Construction Equipment; Refrigeration; Vending Machines)												C	P	P						
Junk, Salvage, Vehicle Wrecking, and Impound Yard													C	C						
Outdoor Storage, as a Primary use												C	C	C						
Recycling Facilities, Commercial												C	C	C						
Recycling Facilities, Public (collection only)											P	C	C	C			C			
Sanitary Landfill, Waste Haulers, Material Recovery Facility													C							
Sewage Treatment Plant													P	P			C			C
Upholstery Shop, Welding Shop									C <sup>1</sup>			P	P	P						

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
<b>Construction<sup>7</sup></b>																				
Building Materials/Lumber/Plumbing Supply Yard												P	P	P						
Construction Office (on the same site as the construction activity)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			
Contractor Storage Yard, Machinery Storage Yard			T									C	C	C						
Horticultural (Landscape and Gardening) Services	C									P	P	P	P	P						
<b>Manufacture and Wholesale<sup>7</sup></b>																				
Assembly, Manufacturing (Including food and beverage production and processing), Restoration of Goods; Except Tires									C <sup>1</sup>			P	P	P	C					
Batch plants, aggregate products and other similar manufacturing uses													C	C						
Dry Cleaning Plant, Large-Scale Commercial Type												P	P	P						
Oil Exploration, Drilling, and Production (Limited to areas w/minimum lot size)														C						
Sand and Gravel Pit, subject to Surface Materials and Reclamation Act (SMARA)													C	C						
Swap Meet <sup>9</sup>										T	T	C	C	C		T	T			
Wholesale Businesses (Including Electrical, Mechanical, Carpentry, Cabinetry)									C <sup>1</sup>	C		P	P	P	C					
<b>Warehouse/Distribution/Storage/Transportation<sup>7</sup></b>																				
Transfer, Moving, and Storage												C	C	C						
Truck Terminals (includes Freight to Freight, Cross Dock, Parcel Delivery)													C	C						

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
Terminals), Truck Parking																				
Truck and Trailer (and similar heavy transportation equipment) Sales, Repair (all repair to be conducted entirely within an enclosed building) <sup>5</sup>									C <sup>1</sup>			C	C	C						
Mini-Warehouse/Storage Facilities/Recreational Vehicle Storage (in AP zone - Aviation hangar less than 10,000 square feet is a permitted use, over 10,000 square feet requires a CUP), may include one (1) caretaker unit.									C <sup>1</sup>			C	C	C						
Warehouse/Distribution, Cold Storage (in AP zone - Aviation hangar less than 10,000 square feet is a permitted use, over 10,000 square feet requires a CUP)									C <sup>1</sup>			P	P	P	C					

**Note:** Uses not shown above as Permitted, Conditionally Permitted, Accessory, or Temporary are prohibited in the zoning district as determined by the Director of Planning or their designee.

Footnotes:

1. Aviation/Aircraft related uses only in the AP zone
2. Drive-thru requires Conditional Use Permit (CUP). A minor Conditional Use Permit (CUPm) may be allowed under certain circumstances, see [Chapter 17.25](#).
3. Use allowed subject to [Chapter 17.25](#).
4. Light duty trucks, less than 2 ton carrying capacity.
5. Heavy duty trucks, greater than 2 tons carrying capacity.
6. All uses shall be conducted in a fully enclosed building.
7. Sales, storage, or use, of any materials classified as toxic or hazardous by either the federal or state government as a substantial part of the total use shall require a CUP, as shall the parking or storage of vehicles used to carry such materials.
8. Co-location and wall antennas require LDPm/CUPm when placed on existing structures per Code, all other proposals require review and approval of an LDP/CUP.
9. No tobacco retailer shall be permitted to sell, donate, distribute, or deliver to any person(s) tobacco products within 1,000 feet of any playground, church, public library, school, or any childcare facility or similar entity providing structured, organized care for youth; see Section [17.80.040](#).
10. Power Generating Facilities, Solar Energy and/or Wind Energy Conversion Systems >500 Kw are allowed in all zones west of Richardson Road and/or north of Calleja Avenue with approval of a LDP/CUP.
11. Until referenced to R3-30 is included in Title 7 of the Municipal Code, Animal Keeping shall be allowed in the R3-30- district the same as is allowed in the R3-8 district.
12. Only allowed in the Industrial Parks.



## PLANNING COMMISSION AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

**DATE:** March 29, 2016

**TO:** Honorable Chairman and Members of the Planning Commission

**FROM:** Mark de Manincor, Senior Planner

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**SUBJECT:** **Code Amendment 16-02** Proposed amendment to Title 17 of the Adelanto Municipal Code adding Section 17.80.090, and amending the Table of Contents and Appendix A relating to Medical Marijuana Research, Development and Processing.

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### **STAFF RECOMMENDATION:**

Adopt Resolution P-16-07 recommending to the City Council Approval of Code Amendment 16-02 in reference to the Draft Ordinance for the Research, Development and Processing of Medical Marijuana.

OR

Adopt Resolution P-16-08 recommending to the City Council Denial of Code Amendment 16-02 in reference to the Draft Ordinance for the Research, Development and Processing of Medical Marijuana.

### **BACKGROUND:**

Both federal and California laws generally prohibit the use, possession, cultivation, transportation, and furnishing of marijuana. The federal Controlled Substances Act (21 U.S.C. § 801 *et seq.*) prohibits, except for certain research purposes, the possession, distribution, and manufacture of marijuana. California law is similar. (Health and Safety Code, § 11357 *et seq.*)

However, California statutes such as the Compassionate Use Act of 1996 (Health and Safety Code, § 11362.5 added by Proposition 15) and the Medical Marijuana Program (Health and Safety Code § 11362.7 *et seq.*) have removed certain state law obstacles from the ability of qualified patients to obtain and use marijuana for legitimate medical purposes. On the federal level, there has likewise been a recent unwillingness to enforce federal laws pertaining to medical marijuana.

Notwithstanding the ability under California law for medical marijuana dispensaries to operate, the law is clear that cities have the ability to independently ban medical marijuana dispensaries within the city. (*City of Riverside v. Inland Empire Patient Health and Wellness Center* (2013) 51 Cal.4<sup>th</sup> 729.) Indeed, the City of Adelanto does not allow medical marijuana dispensaries within the City. (Adelanto

Municipal Code, § 17.80.050.) It has been the policy of the City to vigorously enforce the ban on dispensaries within the City.

### **Prior City Council Agendized Discussions On Medical Marijuana**

The City Council has had multiple prior Council meeting discussions pertaining to medical marijuana and reviewed draft ordinances on both dispensaries and research/cultivation. The Council has approved the Cultivation of Medical Marijuana in the Industrial Parks in the Industrial Zone. The Council now wishes to address, Research Development and Processing of Medical Marijuana. Attached to the staff report is a draft ordinance pertaining to Research, Development and Processing. This ordinance is not in final form and is for discussion purposes only, and may be revised as directed by the Planning Commission.

For the medical marijuana research, development and processing ordinance, potential requirements that have been discussed include: allowing facilities only in the Industrial Park, establishing fees, requiring all signage to be benign in nature such as simply the name of the organization, limiting the duration for any facility to twelve months with an option to continue indefinitely if operator remains in good standing, no restrictions on the hours of operation in the ordinance, having any size limitation on the facility be established by the required conditional use permit rather than the ordinance and limitations on the number of operators.

### **ENVIRONMENTAL IMPACT**

The project is considered Exempt pursuant to Section 15061 (b) (3) of the California Environmental Quality Act as the project will not have a significant effect on the environment.

### **FISCAL IMPACT:**

Permitting fees are proposed to cover potential expenses incurred by the City.

### **ATTACHMENTS:**

1. Resolution 16-07
2. Resolution 16-08
3. Draft Research Development and Processing Ordinance
4. Draft Table of Contents
5. Draft Chapter 17.80
6. Draft Appendix A

## RESOLUTION NO. P-16-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, FINDING THE APPROVAL OF CODE AMENDMENT 16-02 EXEMPT PURSUANT TO SECTION 15061 (B) (3) REVIEW FOR EXEMPTIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AS THE CODE AMENDMENT WILL NOT CAUSE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND RECOMMENDING TO THE CITY COUNCIL ADOPTION OF CODE AMENDMENT 16-02 TO AMEND TITLE 17, ADDING SECTION 17.80.090, AMENDING THE TABLE OF CONTENTS AND APPENDIX A OF THE ADELANTO MUNICIPAL CODE RELATING TO MEDICAL MARIJUANA RESEARCH DEVELOPMENT AND PROCESSING.

WHEREAS, the City of Adelanto adopted, Title 17 as part of the City of Adelanto Municipal Code establishing among other things the regulation of Land Uses; and

WHEREAS, a duly noticed public hearing was held before the Planning Commission on the 29<sup>th</sup> day of March, 2016; to hear public testimony and consider the proposal; and

WHEREAS, the City has complied with the California Environmental Quality Act.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF ADELANTO HEREBY RESOLVES AS FOLLOWS:

Section 1. The above recitals are all true and correct.

Section 2. The Planning Commission has reviewed and considered the information included in the General Plan, staff reports for the public hearing, and public testimony prior to taking action on the proposed Code Amendment. This information is on file and available at the Community Development Department at the City Hall of the City of Adelanto.

Section 3. The Planning Commission finds and determines that the adoption of Code Amendment 16-02 exempt pursuant to Section 15061 (b) (3) Review for Exemptions of the California Environmental Quality Act because the Code Amendment will not cause a significant effect on the environment and the Planning Commission determinations reflect the independent judgment of the Planning Commission.

Section 4. The Planning Commission hereby further finds and determines that the City has followed the procedures for Ordinance Amendments as set forth in the California Government Code.

Section 5. The Planning Commission hereby finds and determines:

- a) That the proposed amendment is in the public interest, and that there will be a community benefit resulting from the amendment;

The amendment is in compliance with State Law and benefits Medical Marijuana patients and is in the public interest and will result in a community benefit.

- b) That the proposed amendment is consistent with the goals, policies, and objectives of the General Plan.

The amendment benefits the community which is consistent with the General Plan.

- c) That the proposed amendment will not conflict with provisions of the Zoning Code, subdivision regulations, or any applicable specific plan; and

The proposed amendment is consistent with the Zoning Code, subdivision regulations and any specific plan.

- d) In the event that the proposed amendment is a change to the land use policy map that the amendment will not adversely affect surrounding properties.

The proposed amendment is not a change to the land use policy map.

Section 6. The Planning Commission of the City of Adelanto hereby recommends to the City Council adoption of Code Amendment 16-02.

Attachments:

Draft Ordinance 545  
Draft Table of Contents  
Draft Special Use Standards  
Draft Appendix A

PASSED, APPROVED AND ADOPTED this 29<sup>th</sup> day of March, 2016.

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Chris Waggener  
Chairman to the Planning Commission

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Virginia Cervantes  
Secretary to the Planning Commission

I, Virginia Cervantes, Planning Secretary for the Planning Commission of the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-07 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 29<sup>th</sup> day of March, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 29<sup>th</sup> day of March, 2016.

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Virginia Cervantes  
Secretary to the Planning Commission

## ORDINANCE NO. 545

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ADELANTO, CALIFORNIA, ADDING SECTION 17.80.090 OF THE ADELANTO MUNICIPAL CODE RELATING TO MEDICAL MARIJUANA RESEARCH, DEVELOPMENT AND PROCESSING

WHEREAS, the voters of the State of California approved Proposition 215 (codified as Health and Safety Code Section 11362.5 and entitled “The Compassionate Use Act of 1996”). The intent of Proposition 215 was to ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician, and to ensure that patients and their primary caregivers who obtain and use marijuana for medical purposes upon the recommendation of a physician are not thereby subject to criminal prosecution or sanction. The Act further provides that “nothing in this section shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes.” The State enacted SB 420 in 2004 (codified as Health and Safety Code Section 11362.7 et seq.) to clarify the scope of The Compassionate Use Act of 1996, facilitate the prompt identification of qualified patients and primary caregivers, avoid unnecessary arrest and prosecution of these individuals, provide needed guidance to law enforcement officers, promote uniform and consistent application of the Act, and enhance the access of patients and caregivers to medical marijuana through collective, cooperative cultivation projects and to allow local governing bodies to adopt and enforce rules and regulations consistent with SB 420; and

WHEREAS, Health and Safety Code section 11362.83 provides that local governments are free to adopt laws that are consistent with State law, and as such, it is up to each jurisdiction to decide if it will allow medical cannabis cooperatives or collectives, in what zones, and under what regulations; and

WHEREAS, In August 2008, the Attorney General of the State of California set forth Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use ("Guidelines") which Guidelines affirm the legality of medical marijuana dispensaries under California law, but make clear that such entities cannot be operated for profit, may not purchase marijuana from unlawful sources and must have a defined organizational structure that includes detailed records proving that members are legitimate patients; and

WHEREAS, the California Supreme Court empowers local incorporated cities and counties to enact laws or regulations pertaining to medical marijuana cultivation, dispensing, manufacturing, or distribution pursuant to city zoning powers that the city or counties governing body allows which including either expanding and allowing such activity within its city zoning area or can restrict, ban or prohibit within its zoning area; and

WHEREAS, the State of California recently adopted AB 243, AB 266 and SB 643 to clarify legal requirements pertaining to medical marijuana; and

WHEREAS, the City of Adelanto (“City”) wishes to comply with California Law and allow for research development and processing for medical marijuana; and

WHEREAS, it is the purpose and intent of this Chapter to regulate medical marijuana in a manner that is consistent with State law and which promotes the health, safety, and general welfare of the residents and businesses within the incorporated City of Adelanto and limits impacts associated with marijuana research, development and processing; and

WHEREAS, the City of Adelanto intends to be on the forefront of ground breaking research, science, innovation and development of treatment for symptoms and cures in the field of medical cannabis. Scientific research, studies and data has established that cannabis helps patients with a vast array of medical conditions that affect the vast majority of human beings across the globe; and

WHEREAS, nothing in this Section shall be construed to allow persons to engage in conduct that endangers others or causes a public nuisance as defined herein, allow the use or diversion of marijuana for nonmedical purposes, or allow any activity relating to the cultivation, distribution or consumption of marijuana that is otherwise illegal under California State law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ADELANTO DOES ORDAIN AS FOLLOWS:

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. Section 17.80.090 (Research, Development and Processing of Medical Marijuana) is hereby added to the City Municipal Code is to read in its entirety as follows:

**Section 17.80.090 Research, Development and Processing of Medical Marijuana**

(a) The City intends to be on the forefront in the field of medical cannabis, research, development and processing thereof. The City seeks to be on the cutting-edge of the regulation, manufacturing and processing of medical marijuana through the issuance of a Processing Permit to qualified applicants. In order to further establish and regulate quality and safety standards for the future regulation of medical marijuana processing, the City may approve qualified applicants for a Processing Permit as follows:

(1) The purpose and intent of this Section is to regulate the processing and manufacturing of medical marijuana that is grown in accordance with State law in order to promote the health, safety, morals, and general welfare of the residents and businesses within the City.

A. “Processing Permit” means a permit to own, operate and manage a Medical Marijuana facility for the purposes of research,

development and processing of commercially available Cannabis infused edibles and vaporizable products.

- (2) Marijuana Processing Standards. Medical Marijuana Processing, within the City, shall be in conformance with the following standards:
- A. Medical Marijuana Processing shall only be considered upon application and approval of a Marijuana Processing Permit in accordance with the criteria and process set forth in this section.
  - B. Marijuana Processing is a conditionally permitted use only on property within the Manufacturing/Industrial (MI) zoning designation in the Industrial Park (the “Cultivation Zone”). No Medical Marijuana Processing shall be established, developed, or operated within two thousand five hundred (2,500) feet of a school, public playground or park, child care or day care facility, youth center, or church. All distances shall be measured in a straight line, without regard to intervening structures, from the nearest point of the building or structure in which the Medical Marijuana Processing facility is, or will be located, to the nearest property line of those uses described in this Subsection.
  - C. Medical Marijuana Processing is allowed only within fully enclosed and secure structures inaccessible to minors.
  - D. Medical Marijuana Processing shall not exceed the square footage authorized pursuant to the Conditional Use Permit.
  - E. From a public right-of-way, there shall be no exterior evidence of Medical Marijuana Processing.
  - F. Medical Marijuana Processing shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products or wastes.
  - G. The number of Medical Marijuana processing Permits shall be limited to those that may be reasonably accommodated within the Cultivation Zone, as defined in B, above.
  - H. The Medical Marijuana Processing facility shall comply fully with all of the applicable restrictions and mandates set forth in state law, including without limitation the Attorney General Guidelines. The Medical Marijuana Processing facility shall comply with all size

requirements for such facilities imposed by State law. The Medical Marijuana Processing facility shall not engage in any activities not allowed at processing facilities pursuant to State law. The Medical Marijuana Processing facility shall comply with all manufacturing, labeling, processing, and other standards required by State law.

- I. There is no set restriction on the hours of operation of a Medical Marijuana Processing facility; however these restrictions, and others, may be established as a condition of approval of the Conditional Use Permit.
- J. Marijuana shall be kept in a secured manner during business and nonbusiness hours.
- K. All Medical Marijuana Processing facilities shall operate within a legal structure compliant with all applicable laws of the State of California.
- L. Any Medical Marijuana Processing facility must pay any applicable sales tax pursuant to federal, state, and local law. The facility shall be established as a “point of sale” within the City for sales tax purposes.
- M. On-site smoking, ingestion, or consumption of marijuana or alcohol shall be prohibited on the premises of the Medical Marijuana Processing facility. The term "premises" as used in this Subsection includes the actual building, as well as any accessory structures and parking areas. The building entrance to a Medical Marijuana Processing facility shall be clearly and legibly posted with a notice indicating that smoking, ingesting, or consuming marijuana on the premises or in the vicinity of the facility is prohibited.
- N. Signage for the Medical Marijuana Processing facility shall be limited to name of business only and in compliance with the City’s sign code, and no advertising of companies, brands, products, goods and/or services shall be permitted. Signage shall not include any drug-related symbols.
- O. Alcoholic beverages shall not be sold, stored, distributed, or consumed on the premises. A Medical Marijuana Processing facility shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages. In

addition, alcohol shall not be provided, stored, kept, located, sold, dispensed, or used on the premises of the Medical Marijuana Processing facility.

- P. Physician services shall not be provided on the premises. "Physician services" includes, but is not limited to, social services, including counseling, help with housing and meals, hospice and other care referrals which may not be provided on site.
- Q. The building in which the Medical Marijuana Processing facility is located as well as the operations as conducted therein shall fully comply with all applicable rules, regulations, and laws including, but not limited to, zoning and building codes, the City's business license ordinances, the Revenue and Taxation Code, the Americans with Disabilities Act, and the Compassionate Use Act. Compliance with all requirements of state law pertaining to processing/manufacturing of marijuana as such state laws are amended is also required.
- R. The Medical Marijuana Processing facility shall not distribute, sell, dispense, or administer marijuana out of its facility to the public. A Medical Marijuana Processing facility shall not be operated as a medical marijuana dispensary.
- S. The operator of the facility shall provide the City Manager with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom one can provide notice if there are operating problems associated with the Medical Marijuana Processing facility. The Medical Marijuana Processing facility shall make every good faith effort to encourage residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the police or planning departments.
- T. Any and all Permits permitting the operation of a Medical Marijuana Processing facility shall expire and be null and void twelve (12) months after issuance to the Permittee, unless otherwise extended by the City Manager, in writing.
- U. Permittee shall account for job creation in the City and shall commit to employing a workforce that resides in the City. A minimum of fifty percent (50%) of all employees employed by the Permittee at the processing facility, pursuant to this Permit, shall be residents of the City. Permittee shall use good faith efforts to comply with this subsection.

- V. A Medical Marijuana Processing facility may be located within the same building or structure as a Medical Marijuana Cultivation facility, only if the Medical Marijuana Processing facility is located in separate room(s) of the facility, and only if the Medical Processing facility has its own, separate entrance.
- W. A Medical Marijuana Processing facility must employ full time quality control personnel. For any edible products, the Permittee must establish Standard Operating Procedures and Batch Records that comply with current Good Manufacturing Practices for food products, as outlined by the California Department of Public Health and the Food and Drug Administration.
- X. All finished products produced by a Medical Marijuana Processing facility must be labeled in compliance with the labeling requirements outlined by the California Department of Public Health, as well as comply with any applicable Marijuana specific labeling requirements established by California Medical Marijuana statutes or codes.
- Y. All finished products produced by a Medical Marijuana Processing Facility must be packaged in child resistant containers, prior to becoming commercially available and, therefore, leaving the facility.
- Z. All batches of final product must be tested by a third party laboratory for potency of cannabinoids, residual solvents, mold, pesticides, and any other contaminants as may be outlined in California Medical Marijuana statutes or codes. In the event that the State of California requires testing by a State certified laboratory, the Permittee shall comply with such regulation.
- AA. A Medical Marijuana Processing facility may only use solvents, which have been approved by the Food and Drug Administration for the processing or preparation of botanical, dietary supplements or food grade products.
- BB. All processing or analytical testing devices used in a Medical Marijuana Processing facility must be UL listed, or otherwise approved for the intended use by the local Building Department and/or Fire Department. Any processing devices using only non-pressurized water are exempt from such approval.
- CC. Any processing device used in a Medical Marijuana Processing facility, which utilized hydrocarbons or otherwise flammable

solvents, must operate in a closed loop or in such a way that all solvent material is recovered in the process. All hazardous material must be disposed of in a manner which is compliant with all local, state, and federal guidelines for the disposal of hazardous materials.

Section 3. Recognizing that there is a potential conflict between Federal and State law, it is the City Council's intention that this Chapter shall be deemed to comply with California law as established by the "Compassionate Use Act" (codified as Health and Safety Code § 11362.5 *et seq.*) and the Medical Marijuana Program Act" (codified as Health and Safety Code § 11362.7 *et seq.*).

Section 4. The City Council determines that it is in the best interest of the residents of the City to allow cultivation facilities that comply with the Guidelines to be established and operated as permitted uses within certain areas of the City subject to the regulations and restrictions provided in this Ordinance. It is the City Council's intention that nothing in this Chapter shall be construed to:

1. Allow persons to engage in conduct that endangers others or causes a public nuisance;
2. Allow the use of marijuana for non-medical purposes of any kind; or
3. Allow any activity relating to the cultivation, distribution, or consumption of marijuana that is otherwise not permitted under State law.

Section 5. The City Council finds that the actions contemplated by this Ordinance are exempt from the California Environmental Quality Act pursuant to Section 15061 (b) 3 and 15305 of the Guidelines, in that the amendment does not have the potential for causing a significant effect on the environment.

Section 6. No use, business, or activity of any kind which researched, developed or processed marijuana prior to the enactment of this ordinance shall be deemed to have been a legally established use under the provisions of the Zoning Code and such use shall not be entitled to claim legal nonconforming status.

Section 7. If any section or provision of this Ordinance is for any reason held to be invalid or unconstitutional, illegal or unenforceable by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, then such section or provision shall be severed and shall be inoperative, and the remainder of this Ordinance shall remain in full force and effect.

Section 8. By regulating Research Development and Processing facilities, the City of Adelanto is only assuming an undertaking to preserve the general welfare through the provision of a method of implementing the Compassionate Use Act. The City Council is not assuming, nor is it imposing on its officers and employees, an obligation for which a breach thereof would

expose the City to a liability in money damages to any person who claims that such breach proximately caused injury. To the fullest extent permitted by law, the City shall assume no liability whatsoever, and expressly does not waive sovereign immunity, with respect to any provision of this Ordinance or for the activities of any Research Development or Processing facility. To the fullest extent permitted by law, any actions taken by a public officer or employee under the provisions of this Chapter shall not become a personal liability of any public officer or employee of the City. Nothing in this Ordinance shall be deemed or considered in any respects to constitute authorization to violate any state or federal law.

Section 9. The Mayor shall sign and the City Clerk shall certify passage and adoption of this Ordinance, and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect thirty (30) days after its final passage.

PASSED, APPROVED and ADOPTED this 27<sup>th</sup> day of April, 2016.

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Mayor, Richard Kerr

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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City Attorney

I, Cindy Herrera, City Clerk of the City of Adelanto, do hereby certify that the foregoing Ordinance was introduced for a first reading on the 13<sup>th</sup> day of April and approved for a second reading at a regular meeting of the City Council of the City of Adelanto held on the 27<sup>th</sup> day of April, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

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Cindy M. Herrera, City Clerk, City of Adelanto

## TITLE 17

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**APPENDICES**

Appendix A: Regulation of Uses by Zoning District

## CHAPTER 17.80

### SPECIAL USE STANDARDS

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- 17.80.020 Antennas and Cellular Telephone Towers**
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- 17.80.040 Restrictions on Sales of Tobacco Products**
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#### **17.80.010 Intent and Purpose**

Certain uses, although permitted in specific zoning districts, require additional development standards beyond those specified for the applicable zone. Additional standards are required to ensure that such uses are operated in a manner that does not adversely impact surrounding uses. The purpose of this Chapter is to provide additional development standards and conditions for certain uses to ensure their compatibility with surrounding uses.

#### **17.80.020 Antennas and Cellular Telephone Towers**

(a) Exempt Antennas

Common skeletal-type radio and television antenna in standard configurations used to receive UHF, VHF, AM, and FM signals of off-air broadcasts from radio and television stations are exempt from the requirements of this Section.

Solid dish-type antennas with a diameter of less than two feet (2') which are designed to receive broadcast signals directly from orbiting satellites are also exempt from the following requirements, with the exception that this type of antenna may not be placed in a front yard area or in any other location visible from the street at the front of the home or building which the antenna serves.

(b) Location of Antennas in Residential Districts

Antennas and satellite dishes (hereafter referred to as “antennas”) located in the residential zones of the City shall conform to the following standards:

- (1) All antennas shall be required to maintain their supporting structures at least five feet (5') from any property line and ten feet (10') from any other structure.
- (2) All ground-mounted antennas shall be screened by walls, fences, or landscaping at least six feet (6') in height obscuring visibility of the antenna from adjacent properties at the same elevation. Landscaping

shall be of a type and variety and installed at sufficient size to be capable of growing within one year to a landscape screen which obscures the visibility of the antenna.

- (3) All antennas and their supporting structures shall be located in the rear yard.
- (4) No antenna shall be higher than thirty-five feet (35') above grade level, except dish-type satellite receiving antennas, which shall not exceed fifteen feet (15') in height. Antennas exceeding thirty-five feet (35') may be approved provided the antenna is retractable to below the thirty-five foot (35') height limit, and the applicant executes a use agreement providing that the antenna will only be extended during actual use of said antenna.
- (5) A maximum of two (2) antennas, including exempt antennas, shall be allowed per lot.
- (6) All roof-mounted antennas, with the exception of exempt antennas, are prohibited.

(c) Location of Antennas in Non-Residential Districts

Antennas located in non-residential zoning districts shall conform to the following standards:

- (1) All ground-mounted antennas shall be required to maintain their supporting structures at least five feet (5') from any property line and ten feet (10') from any other structure.
- (2) All ground-mounted antennas shall be screened by walls, fences, or landscaping at least six feet (6') in height obscuring visibility of the antenna from adjacent properties at the same elevation. Landscaping shall be of a type and variety capable of growing within one year to a landscape screen which obscures the visibility of the antenna.
- (3) All antennas and their supporting structures shall be located in the rear yard or any side yard, except a street side yard.
- (4) No antenna or its supporting structure shall be located in the area between the front property line and the main structure or building.
- (5) No antenna shall be higher than the maximum height permitted in the zone, measured from grade level, except satellite antennas, which shall not exceed fifteen feet (15') in height.
- (6) A maximum of two (2) antennas, including exempt antennas, shall be allowed per lot.
- (7) No antenna shall be roof-mounted except on a flat portion of the roof structure with parapets, and/or architecturally matching screening plan.

(d) Location of Antennas in Public Utility, Open Space and Greenbelt Corridor Districts

- (1) All ground-mounted antennas shall be required to maintain their supporting structures at least five feet (5') from any property line and ten feet (10') from any other structure.
- (2) All ground-mounted antennas shall be screened by walls, fences or landscaping at least six feet (6') in height obscuring visibility of the antenna. Landscaping shall be of a type and variety capable of growing within one year to a landscape screen which obscures the visibility of the antenna.
- (3) All antennas and their supporting structures shall be located in the rear yard or any side yard, except a street side yard.
- (4) No antenna or its supporting structure shall be located in the area between the front property line and the main structure or building.
- (5) No antenna shall be higher than the maximum height permitted in the zone measures from grade level, except satellite antennas which shall not exceed fifteen feet (15') in height.
- (6) A maximum of two (2) antennas, including exempt antennas, shall be allowed per lot.
- (7) No antenna shall be roof-mounted except on a flat portion of the roof structure with parapets, and/or architecturally matching screening plan.

(e) Wireless Communication Facilities

The following regulations shall govern the placement of wireless communication facilities, antennas, and similar installations:

- (1) All cellular phone installations shall require Conditional Use Permit Approval, pursuant to the requirements of Chapter 17.130 of this Code.
- (2) Cellular Telephone Towers shall be permitted within all Business and Manufacturing (BP, LM, MI and ADD), Open Space, Public Land, Schools, Greenbelt Corridors (OS, DE, UE) and Public Utilities and Public Facilities (PU and PF) zoning districts.
- (3) Cellular Telephone Towers shall not be located in Residential Districts.
- (4) Design Standards
  - A. Cellular Telephone Towers shall be "Stealth Facilities", which means that any Wireless Telecommunications Facility shall be disguised to appear as another natural or artificial object that exists in the surrounding environment or which is architecturally

integrated into a building or other structure. They may include, but are not limited to:

1. Co-location on existing electrical transmission towers within Power Easements.
  2. Architecturally screened roof mounted antenna.
  3. Wall or façade-mounted antenna as design features, clock towers, flagpoles, church crosses, “tree” poles (monopalms, monopines, or similar).
  4. Wall Mounted means a Wireless Telecommunication Facility that is mounted on any vertical surface or nearly vertical surface of a building or other existing structure that is not specifically constructed for the purpose of supporting an antenna, such as exterior walls of a building, an existing parapet, the side of a water tank, the face of a church steeple, or the side of a freestanding sign such that the highest point of the Facility is at an elevation equal to or lower than the highest point of the surface on which it is mounted.
  5. Exceptions to this may be granted through the Conditional Use Permit Process, provided that it can be demonstrated that the proposed installation would not be unduly intrusive, such as they are located in proximity to similar existing towers for major electrical transmission lines.
- B. Cellular phone towers, antennas, and similar structures are limited to the maximum height allowed within the Zoning District in which it is located, unless an RF report prepared by a qualified RF Engineer and reviewed by the City, demonstrates that: 1) an antenna built at the Zoning District limit would obstruct the antenna’s reception window or otherwise excessively interfere with reception and such obstruction or interference involves factors beyond the applicant’s control; and 2) there are no other locations within the City available to the cellular phone provider that would enable the cellular phone provider to construct an antenna within the limits of the Zoning Code without limiting cell phone coverage and reception. In such cases, a maximum height of one hundred feet (100’) may be allowed, unless a lower height is required by a local Airport Land Use Commission (ALUC).
- C. Setback requirements for cellular phone installations shall be developed on a case-by-case basis as part of the Conditional Use Permit Approval.

(f) Antennas Used for Transmission Purposes

The following regulations shall apply to the establishment, installation, and operation of antennas used to transmit signals of any type for commercial purposes.

- (1) Except as provided in subsection (2) below, prior to the approval by the City of the installation of any non-exempt antenna, the applicant must submit a written statement that the antenna will not be used for transmission purposes; or, that the use of the antennas for transmission purposes will not exceed EIRP levels of 80 dBW.
- (2) Antennas used for transmission purposes which exceed EIRP levels of 80 dBW may be approved by the Planning Commission, subject to the imposition of reasonable conditions to protect the applicant and the public health and safety. Reasonable conditions shall include, but not be limited to, fencing, screening, warning signs, partial submersion below ground level, and other like conditions.
- (3) Antennas used for transmission purposes shall be subject to the same screening requirements as antennas used for receiving signals. Transceiver antennas shall be considered to be transmitting antennas for the purposes of this Chapter.
- (4) Any applicant aggrieved by a decision of or condition imposed by the City may appeal that decision or condition pursuant to Section 2.04.080 et seq. of this Code.

(g) Required Criteria and Performance Standards

The following regulations shall apply to the establishment, installation, and operation of antennas in all zoning districts:

- (1) Antennas shall be installed and maintained in compliance with the requirements of the Building Code. Antenna installers shall obtain a building permit prior to installation.
- (2) No advertising material shall be allowed on any antenna.
- (3) All electrical wiring associated with any antenna shall be buried underground or hidden in a manner acceptable to the Building Official.
- (4) No portion of an antenna array shall extend beyond the property lines or into any front yard area. Guy wires shall not be anchored within any front yard area but may be attached to the building.
- (5) The antenna, including guy wires, supporting structures, and accessory equipment, shall be located and designed so as to minimize the visual impact on surrounding properties and from public streets. The materials used in constructing the antenna shall not be unnecessarily bright, shiny, garish, or reflective.

- (6) Every antenna must be adequately grounded for protection against a direct strike of lightning with an adequate ground wire. Ground wires shall be of the type approved by the latest edition of the National Electrical Code, as adopted by the City, for grounding masts and lightning arresters and shall be installed in a mechanical manner, with as few bends as possible, maintaining a clearance of at least two (2) inches from combustible materials. Lightning arresters shall be used which are approved as safe by the Underwriter's Laboratories, Inc., and both sides of the line must be adequately protected with proper arresters to remove static charges accumulated on the line. When lead-in conductors of polyethylene ribbon-type are used, lightning arresters must be installed in each conductor. When coaxial cable or shielded twin lead is used for lead-in, suitable protection may be provided without lightning arresters by grounding the exterior metal sheath.
- (7) A wind velocity test shall be required if deemed necessary by the Building Official.

(h) Variances

Pursuant to the procedures of Chapter 17.140 et seq. of this Zoning Code, any person may seek a variance from the provisions of this Chapter pertaining to antennas and satellite dish antennas. A fee shall be charged to an applicant for a variance that is required solely for the purposes of complying with the antenna and/or satellite dish antenna regulations of this Chapter. Any variance so granted is revocable for failure by the applicant or property owner to comply with the conditions imposed. A variance shall be issued for an antenna if it meets the following standards:

- (1) Locating the antenna in conformance with the specifications of this Chapter would obstruct the antenna's reception window or otherwise excessively interfere with reception, and such obstruction or interference involves factors beyond the applicant's control; or the cost of meeting the specifications of this Section is excessive, given the cost of the proposed antenna.
- (2) The variance application includes a certification that the proposed installation is in conformance with applicable City Building Code regulations. Furthermore, the application must contain written documentation of such conformance, including load distributions within the building's support structure, and must be certified by a registered engineer.
- (3) If it is proposed that the antenna will be located on the roof, where possible, the antenna shall be located on the rear portion of the roof and be consistent with neighboring improvements, uses, and architectural character.

(i) Nonconforming Antennas

All antennas, in any zone, lawfully constructed and erected prior to the effective date of this Chapter, which do not conform to the requirements of the provisions of this Chapter for the particular zoning district in which they are located, shall be accepted as non-conforming uses for a period of one (1) year from the date of adoption of this Chapter. Thereafter, the antennas shall be subject to abatement as set forth below via removal, modification, or relocation to comply with the standards of this Chapter. Any antenna constructed or erected in violation of this Chapter or any prior law, ordinance, or regulation shall be subject to immediate abatement.

(j) Notice of Nonconforming Antennas

(1) Upon the determination of the Planning Director that the provisions of this Chapter apply to a given parcel of land on which an antenna is located, the Planning Director or his/her designee shall send a notice thereof by United States certified mail, return receipt requested, to the owner thereof as shown on the last equalized assessment roll and shall cause such property to be posted with a similar notice.

(2) The notice provided for in this Section shall state that the property and antenna in question is a nonconformity, shall state the date of abatement established in Section 17.80.020(i), shall state that an administrative hearing will be held before the Planning Commission and shall state the date of such hearing.

(k) Hearing; Decision and Order; Appeal; Recordation of Order

(1) Within sixty (60) days after the issuance of the notice prescribed in Section 17.80.020(j), the Planning Commission shall hold an administrative hearing to determine whether the nonconformity should be abated or whether a time extension should be granted as provided in subsection (7) below.

(2) The Planning Commission shall receive written and oral testimony at such hearing in regard to the abatement.

(3) At the close of the hearing, the Planning Commission shall find and determine whether the nonconformity should be abated and all facts in support thereof, whether the owner of the property can amortize his/her investment in the term for abatement provided in Section 17.80.020(i), and if not, what term for abatement should be provided as specified in Section 17.80.020(j).

(4) The Planning Commission shall also find and determine whether the structure encompassing the nonconforming use can be used economically in its present condition or can be modified successfully for a purpose permitted in the zoning district in which it is located.

- (5) The decision of the Planning Commission and the findings in support thereof shall be in the form of a written order and shall be served upon the property owner personally or by United States certified mail, return receipt requested, within ten (10) days after the decision is rendered.
- (6) The decision of the Planning Commission may be appealed to the City Council.
- (7) After the conclusion of all appeals, notice of the decision and order of the Planning Commission or the City Council shall be recorded with the City Clerk.

(l) Extension of Time

- (1) The Planning Commission or City Council on appeal, shall grant an extension of the time for abatement of nonconformity where it finds that an unreasonable hardship would otherwise be imposed on the property owner.
- (2) The Planning Commission or City Council on appeal, shall consider the following factors, among others, in determining whether to grant an extension of time and the length of the term:
  - A. The nature of the use.
  - B. The amount of the owner's investment in improvements.
  - C. The convertibility of improvements to permitted uses.
  - D. The character of the neighborhood.
  - E. The detriment, if any, caused to the neighborhood by continuance of the nonconforming use.
  - F. The amount of time needed to amortize the investment.

(m) Proof of Amortization

The Planning Commission, or City Council on appeal, shall base its decision as to the length of the permitted amortization period on any competent evidence presented, including, but not limited to, the depreciation schedule attached to the owner's latest federal income tax return.

(n) Relocation

Where the Planning Commission finds that a nonconforming antenna, either in its present condition or as modified, can be used in compliance with the standards set forth in this Chapter for the zoning district in which it is located, the nonconforming antenna may be granted an extension sufficient to permit it to relocate on the site wherein such use is permitted and which has substantially equivalent utility for the use. In no event shall such extension be more than two (2) years.

(o) Antennas Used for Transmission Purposes

- (1) Except as provided in subsection (2) below, prior to the approval by the City for the installation of any non-exempt antenna, the applicant must submit a written statement that the antenna will not be used for transmission purposes; or that the use of the antennas for transmission purposes will not exceed EIRP levels of 80 dBW.
- (2) Antennas used for transmission purposes which exceed EIRP levels of 80 dBW may be approved by the Planning Commission subject to the imposition of reasonable conditions to protect the applicant and the public health and safety. Reasonable conditions shall include, but not be limited to, fencing, screening, warning signs, partial submersion below ground level, and other like conditions.
- (3) Any applicant aggrieved by a decision of or condition imposed by the Planning Commission may appeal that decision or condition to the City Council, pursuant to Section 2.04.080 et seq of this Code.

**17.80.030 Churches, Temples, religious institutions, non-profits and other similar institutions**

- (a) All churches, temples, religious institutions, non-profits and other similar institutions shall require a Location and Development Plan approval and Conditional Use Permit approval, as indicated in Appendix A.
- (b) All buildings, structures, setbacks, building height and landscaping shall be developed in a manner harmonious and compatible with development on surrounding properties.
- (c) Off-street parking spaces shall be required as per Chapter 17.65 and 17.15 of this Zoning Code. The number of parking spaces shall be determined in Table 65-2 of the aforementioned code section. Exterior parking areas shall be screened with landscaping to be compatible with and an enhancement to surrounding land uses.
- (d) All exterior lighting shall be designed, oriented, and constructed to shield adjacent properties from adverse glare effects.
- (e) Establishment of a church does not automatically permit any school, day nursery, kindergarten, or any congregation of persons for purposes other than religious

instruction, worship, or guidance. Any such additional uses shall be subject to the use requirements of the zoning district in which they are located.

- (f) Churches, Temples, religious institutions, non-profit and other similar institutions proposed to be located in residential zones shall only be allowed if vehicular access is from a Major Street/Boulevard, Collector Street, Activity Street or Loop Street-One Way, as identified in the Circulation Element of the General Plan

#### **17.80.040 Restrictions on Sales of Tobacco Products**

- (a) Definitions

The following words and phrases, whenever used in this article, shall have the meanings defined in this section unless the context clearly requires otherwise:

Tobacco Product means any product(s) that is used to consume tobacco or any product that contains any tobacco leaf, including but not limited to: cigarettes, cigars, cigarillos, blunts, snuff, dipping/chewing tobacco, flavored tobacco, tobacco water, tobacco paste, gutka, kretek, shisha, roll-your-own cigarettes, cigarette or cigar rolling papers, or pipes.

Tobacco Retailer means any person, retail establishment, or any other legal entity who knowingly sells, donates, distributes, or delivers to any person(s), for any form of consideration, tobacco products.

- (b) Zoning Regulations.

It is hereby declared that the sense and policy of this section is that no tobacco retailer shall be permitted to sell, donate, distribute, or deliver to any person(s), for any form of consideration, tobacco products within 1,000 feet of any playground, church, public library, school, or any childcare facility or similar entity providing structured, organized care for youth.

- (c) How Distance Measured.

The 1,000 foot distance provided for in Section 14.80.040 shall be measured as a person walks, using the sidewalk, from the nearest point of the property line of the playground, church, public library, school, or childcare facility or similar entity providing structured, organized care for youth, to the nearest of the property line of the tobacco retailer.

- (d) Nonconforming Uses

The City's nonconforming use rules, contained in Chapter 17.165 apply to this section. If a tobacco retailer has an interruption of the continuity of business for a period in excess of six months, in order to reopen for business, the requirements set forth above must be complied with.

- (e) Enforcement.

Enforcement of this chapter shall be the responsibility of the Community Development Director or his designee. In addition, any peace officer or code enforcement official also may enforce this chapter.

**17.80.050 Medical Marijuana Dispensaries**

A medical marijuana dispensary, as defined in Section 17.200.140 of this Title, is not an allowable use within any zone in the City of Adelanto and is expressly prohibited in all zones. No other definition or term utilized herein shall be interpreted to allow such use. Each individual zone in the City of Adelanto is hereby updated to prohibit medical marijuana dispensaries.

**17.80.060 Wind Energy Conversion Systems (WECS)**

- (a) Wind Energy Conversion Systems shall be classified into three (3) categories.
  - (1) Category One, consist of large WECS that have one or more units producing power for sale. This category generates power in excess of 500 Kw and does not provide power for onsite use. These systems require the approval of a Conditional Use Permit and Location and Development Plan and are allowed in the Manufacturing/Industrial (MI), Airport Development District (ADD), Public Utilities (PU) and Open Space, Public Land and Schools (OS) zones.
  - (2) Category Two, consist of medium WECS that provide power for existing onsite structures. These systems may have more than one unit but produce 500 Kw or less. These systems require the approval of a Minor Conditional Use Permit and Site Plan and are allowed in all zoning districts except Single Family Residential (R-S1, R1, R1-.5, R-S5) and Desert Living (DL-9, DL-5, DL-2.5).
  - (3) Category Three, consist of WECS that provide power for existing onsite single family residential structures. These systems may have more than one unit but produce 25 Kw or less. These systems require the approval of a site plan and can be pole/tower or roof mounted.
- (b) WECS installed in the DL zone may be 75' in height. All others shall comply with height limitations for the zoning district they are installed in.
- (c) All ground mounted pole/tower WECS shall be set back from property lines a distance that equals the total height of the system and shall have a locked anti-climb device installed or be un-climbable by design for the first 12 feet.
- (d) All pole mounted WECS shall be of the self supporting monopole type. WECS requiring the use of guyed wires are only permitted in the DL zone.
- (e) No WECS shall emit sounds which exceed 65 decibels at any time as measured from the property line.
- (f) All on-site wiring for WECS shall be installed underground.

- (g) All WECS shall be installed and operated so that the public health, safety, and welfare of neighboring property owners or occupants will not be jeopardized.

**17.80.070 Solar Energy Conversion Systems (SECS)**

- (a) Solar Energy Conversion Systems shall be classified into three (3) categories.
  - (1) Category One, consist of large SECS that have one or more units producing power for sale. This category generates power in excess of 500 Kw and does not provide power for onsite use. These systems require the approval of a Conditional Use Permit and Location and Development Plan and are allowed in the Manufacturing/Industrial (MI) and Airport Development District (ADD) zones.
  - (2) Category Two, consist of medium SECS that provide power for existing onsite structures. These systems may have multiple panels but produce 500 Kw or less. These systems require the approval of a Minor Conditional Use Permit and Site Plan and are allowed in all zoning districts except Single Family Residential (R1), (R1-.5) and Desert Living (DL).
  - (3) Category Three, consist of SECS that provide power for existing onsite single family residential structures. These systems may have multiple panels but produce 25 Kw or less. These systems require the approval of a site plan and can be ground or roof mounted.
- (b) All SECS shall comply with height limitations and setbacks for the zoning district they are installed in.
- (c) No SECS shall emit sounds which exceed 65 decibels at any time as measured from the property line.
- (d) All on-site wiring for SECS shall be installed underground.
- (e) All SECS shall be installed and operated so that the public health, safety, and welfare of neighboring property owners or occupants will not be jeopardized.

**17.80.080 Cultivation of Medical Marijuana**

- a) The purpose and intent of this Section is to regulate the cultivation of medical marijuana that is grown in accordance with State law in order to promote the health, safety, morals, and general welfare of the residents and businesses within the City.
- b) For purposes of this Section, the following definitions shall apply, unless the context clearly indicates otherwise:
  - (1) “City” means the City of Adelanto, California, a Charter Law City.

- (2) “City Manager” means the individual duly appointed by a majority of the City Council of the City to serve in the capacity as executive officer of the City on a permanent or interim basis.
  - (3) “Cultivation” or “marijuana cultivation” means cultivation of medical cannabis and industrial hemp either indoor or within external greenhouses.
  - (4) “Fully enclosed and secure structure” means a space within a building, greenhouse or other structure which has a complete roof enclosure supported by connecting walls extending from the ground to the roof, which is secure against unauthorized entry, provides complete visual screening, and which is accessible only through one or more lockable doors and inaccessible to minors.
  - (5) “Indoors” means within a fully enclosed and secure structure.
  - (6) “Medical Marijuana” and “Medical Cannabis” are defined in strict accordance with California Health and Safety Code section 11362.5 and 11362.8 *et seq.*
  - (7) “Outdoors” means any location within the City that is not within a fully enclosed and secure structure.
  - (8) “Permit” means a permit to own, operate and manage a Medical Marijuana facility for cultivation purposes only, pursuant to the terms and conditions of this Ordinance.
  - (9) “Permitee” means an applicant who has applied for and has been issued a Permit by the City for a Medical Marijuana Cultivation Permit pursuant to the terms and conditions of this Ordinance.
  - (10) “Primary caregiver” means a “primary caregiver” as defined in Section 11362.7(d) of the Health and Safety Code, as may be amended from time to time.
  - (11) “Qualified patient” means a “qualified patient” as defined in Section 11362.7(f) of the Health and Safety Code.
- c) All outdoor cultivation of marijuana within the City is prohibited. It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the City to cause or allow such parcel to be used for the outdoor cultivation, manufacture, or research of marijuana.
- d) It is hereby declared to be unlawful for any person owning, leasing, occupying, or having charge or possession of any property in the City to cause or allow such property to be used for the indoor cultivation of

marijuana plants within a fully enclosed and secure structure on the property, except as provided in subsections (d)(1) and (d)(2) of this section.

- (1) Indoor Cultivation Standards. Indoor Medical Marijuana Cultivation, within the City, shall be in conformance with the following standards:
  - A. Indoor Medical Marijuana Cultivation shall only be considered upon application and approval of a Marijuana Cultivation Permit in accordance with the criteria and process set forth in this Section.
  - B. Indoor Medical Marijuana Cultivation is a conditionally permitted use only on property within the Manufacturing/Industrial (MI) zoning designation in the Industrial Park (the “Cultivation Zone”). No Medical Marijuana Cultivation shall be established, developed, or operated within two thousand five hundred (2,500) feet of a school, public playground or park, child care or day care facility, youth center, or church. All distances shall be measured in a straight line, without regard to intervening structures, from the nearest point of the building or structure in which the Medical Marijuana Cultivation is, or will be located, to the nearest property line of those uses describe in this Subsection.
  - C. Indoor Medical Marijuana Cultivation is allowed only within fully enclosed and secure structures inaccessible to minors.
  - D. Indoor Medical Marijuana Cultivation shall not exceed the square footage authorized pursuant to the Conditional Use Permit.
  - E. From a public right-of-way, there shall be no exterior evidence of Indoor Medical Marijuana Cultivation.
  - F. Indoor Medical Marijuana Cultivation shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products or wastes.
  - G. The number of Medical Marijuana Cultivation Permits shall be limited to those that may be reasonably accommodated within the Cultivation Zone, as defined in B, above.

- H. The Medical Marijuana Cultivation facility shall comply fully with all of the applicable restrictions and mandates set forth in state law, including without limitation the Attorney General Guidelines. The Medical Marijuana Cultivation facility shall comply with all size requirements for such facilities imposed by State law. The Medical Marijuana Cultivation facility shall not engage in any activities not allowed at cultivation facilities pursuant to State law. The Medical Marijuana Cultivation facility shall comply with all horticultural, labelling, processing, and other standards required by State law.
- I. There is no set restriction on the hours of operation of a Medical Marijuana Cultivation facility; however one may be established as a condition of approval of the Conditional Use Permit.
- J. Marijuana shall be kept in a secured manner during business and nonbusiness hours.
- K. All Medical Marijuana Cultivation facilities shall operate within a legal structure compliant with all applicable laws of the State of California.
- L. Any Medical Marijuana Cultivation facility must pay any applicable sales tax pursuant to federal, state, and local law. The facility shall be established as a “point of sale” within the City for sales tax purposes.
- M. On-site smoking, ingestion, or consumption of marijuana or alcohol shall be prohibited on the premises of the Medical Marijuana Cultivation facility. The term "premises" as used in this Subsection includes the actual building, as well as any accessory structures and parking areas. The building entrance to a Medical Marijuana Cultivation facility shall be clearly and legibly posted with a notice indicating that smoking, ingesting, or consuming marijuana on the premises or in the vicinity of the facility is prohibited.
- N. Signage for the Medical Marijuana Cultivation facility shall be limited to name of business only and in compliance with the City’s sign code, and no advertising of companies, brands, products, goods and/or services shall be permitted. Signage shall not include any drug-related symbols.
- O. Alcoholic beverages shall not be sold, stored, distributed, or consumed on the premises. A Medical Marijuana

Cultivation facility shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages. In addition, alcohol shall not be provided, stored, kept, located, sold, dispensed, or used on the premises of the Medical Marijuana Cultivation facility.

- P. Physician services shall not be provided on the premises. "Physician services" does not include social services, including counseling, help with housing and meals, hospice and other care referrals which may be provided on site.
- Q. The building in which the Medical Marijuana Cultivation facility is located as well as the operations as conducted therein shall fully comply with all applicable rules, regulations, and laws including, but not limited to, zoning and building codes, the City's business license ordinances, the Revenue and Taxation Code, the Americans with Disabilities Act, and the Compassionate Use Act. Compliance with all requirements of state law pertaining to cultivation of marijuana as such state laws are amended is also required.
- R. The Medical Marijuana Cultivation facility shall not distribute, sell, dispense, or administer marijuana out of its facility to the public. A Medical Marijuana Cultivation facility shall not be operated as a medical marijuana dispensary.
- S. Provide the City Manager with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom one can provide notice if there are operating problems associated with the Medical Marijuana Cultivation facility. The Medical Marijuana Cultivation facility shall make every good faith effort to encourage residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the police or planning departments.
- T. Any and all Permits permitting the operation of a Medical Marijuana Cultivation facility shall expire and be null and void twelve (12) months after issuance to the Permittee, unless otherwise extended by the City Manager, in writing.
- U. The Permittee shall account for job creation in the City and shall commit to employing a workforce that resides in the

City. A minimum of fifty percent (50%) of all employees employed by the Permittee at the cultivation facility, pursuant to this Permit, shall be residents of the City. Permittee shall use good faith efforts to comply with this subsection.

(2) Marijuana Cultivation Permit. Prior to initiating operations and as a continuing requisite to conducting operations, the legal representative of the persons wishing to obtain a Marijuana Cultivation Permit shall obtain said permit from the City Manager under the terms and conditions set forth in this Section. The legal representative shall file an application with the City Manager upon a form provided by the City and shall pay a filing fee as established by resolution adopted by the City Council as amended from time to time. An application for a Marijuana Cultivation Permit shall include, but shall not be limited to, the following information:

- A. An estimate of the size of the Indoor Medical Marijuana Cultivation facility.
- B. The address of the location for which the Marijuana Cultivation Permit is sought.
- C. A site plan and floor plan of the premises denoting all the use of areas on the premises, including storage, cultivation areas, lighting, signage, etc.
- D. A security plan including the following measures:
  - 1. Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 120 concurrent hours of digitally recorded documentation in a format approved by the City Manager. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras include, but are not limited to, the storage areas, cultivation areas, all doors and windows, and any other areas as determined by the City Manager;
  - 2. The facility shall be alarmed with an alarm system that is operated and monitored by a recognized security company;
  - 3. Entrance to the cultivation area and any storage areas shall be locked at all times, and under the control of staff of the cultivation facility;

4. The entrance(s) and all window areas shall be illuminated during evening hours. The applicant shall comply with the City's lighting standards regarding fixture type, wattage, illumination levels, shielding, etc., and secure the necessary approvals and permits as needed; and
  5. All windows on the building that houses the cultivation facility shall be appropriately secured and all marijuana securely stored, and a reliable, commercial alarm system shall be installed and maintained.
- E. The name and address of any person who is managing or responsible for the Indoor Medical Marijuana Cultivation activities, and the names and addresses of any employees, if any, and a statement as to whether such person or persons has or have been convicted of a crime(s), the nature of such offense(s), and the sentence(s) received for such conviction(s).
  - F. The name and address of the owner and lessor of the real property upon which the Indoor Medical Marijuana Cultivation is to be conducted. In the event the applicant is not the legal owner of the property, the application must be accompanied with a notarized acknowledgement from the owner of the property that a Medical Marijuana Cultivation Facility will be operated on his/her property.
  - G. Authorization for the City Manager to seek verification of the information contained within the application.
  - H. Evidence that the Indoor Medical Marijuana Cultivation facility is organized in a legal structure compliant with all applicable laws of the State of California.
  - I. A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information contained in the application is true and correct.
  - J. Any such additional and further information as is deemed necessary by the City Manager to administer this Section.
  - K. The City Manager shall conduct a background check of any applicant seeking a Permit, including any person who is managing or is otherwise responsible for the activities of the cultivation facility, and any employee at the cultivation facility ("Applicant's Agents"), and shall prepare a report

on the acceptability of the applicant and the Applicant's Agents background and the suitability of the proposed location. Upon completing the review process, the City Manager may issue a Permit to any applicant that meets all the City requirements for said Permit, unless the City Manager finds that:

1. The applicant has made one or more false or misleading statements, or omissions on the application or during the application process;
  2. The proposed Indoor Medical Marijuana Cultivation facility is not allowed by state or local law, statute, ordinance, or regulation, including this Code, at a particular location;
  3. The applicant is not a Primary Caregiver or Qualified Patient or the legal representative of the Indoor Medical Marijuana Cultivation facility;
  4. The applicant, or any person who is managing or is otherwise responsible for the activities of the Indoor Medical Marijuana Cultivation facility, or any employee, if any, has been convicted of a felony, or convicted of a misdemeanor involving moral turpitude, or the illegal use, possession, transportation, distribution or similar activities related to controlled substances, with the exception of marijuana related offenses for which the conviction occurred prior to passage of Compassionate Use Act. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of *nolo contendere*;
  5. The applicant, or any person who is managing or is otherwise responsible for the activities of the Indoor Medical Marijuana Cultivation facility has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices; or
  6. The applicant has not satisfied each and every requirement of this Section.
- L. Based on the information set forth in the application and the City Manager's report, the City Manager may impose

reasonable terms and conditions on the proposed operations in addition to those specified in this Section.

- M. The City Manager will accept applications for Medical Marijuana Cultivation Permits during a thirty (30) day period after adoption (Second Reading) of this Ordinance. Such thirty (30) day time period plus an additional seven (7) days to complete the reviews and the preparation of the reports called for in this Section shall be deemed the "Application Period." Applications that have been determined to be qualified by the City Manager during the Application Period shall be considered by the City Manager for ultimate review and consideration. The City Manager shall rank all qualified applications in order of those that best satisfy the requirements of this Section and provide the highest level of service and opportunities for residents of the City based on the requirements of this Section and the following criteria: 1) the operations plan for the facility; 2) the security plan for the facility; 3) the experience of the operators of the facility; 4) the adequacy of capitalization for the facility and operation; and 5) the employment and other public benefits to the City. The City Manager may issue a reasonable number of Medical Marijuana Cultivation Permits, as determined by the City Manager, in his or her exclusive discretion, pursuant to the terms and conditions of this Ordinance, provided the number of Permits may be reasonably accommodated within the Cultivation Zone, as defined herein. Within thirty (30) days after issuance of Medical Marijuana Cultivation Permits, the City Manager shall submit a written report to the City Council stating which applicants were issued Medical Marijuana Cultivation Permits.
- N. The obligations of the Indoor Medical Marijuana Cultivation facility, including all on-going and continuing obligations required pursuant to any provision of this Section or as may be provided in any conditional approval of the City Manager, shall be set forth in a covenant running with the land or the leasehold interest, approved as to form by the City Attorney, and enforceable by the City. Such covenant shall also provide that the Indoor Medical Marijuana Cultivation facility shall annually provide to the City Manager an updated application containing the information contained in Subsection (d)(2)A-J. To the fullest extent permitted by law, the City shall not assume any liability whatsoever, and expressly does not waive sovereign immunity, with respect to medical marijuana, or

for the activities of any Indoor Medical Marijuana Cultivation facility. Upon receiving possession of a Medical Marijuana Cultivation Permit as provided in this Section, the facility shall:

1. Execute an Indemnification Agreement, prepared by the City, wherein, among other things, Permittee shall fully indemnify the City for any and all litigation that may arise in furtherance of this Ordinance;
  2. Carry insurance in the amounts and of the types that are acceptable to the City Manager;
  3. Name the City as an additionally insured;
  4. Agree to defend at its sole expense, any action against the City, its agents, officers, and employees because of the issues of such approval; and
  5. Agree to reimburse the City for any court costs and attorney fees that the City may be required to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the operator of its obligation hereunder.
- O. All Medical Marijuana Cultivation facilities shall be required to enter into an agreement with the City that fully reimburses the City for all costs of the City resulting from the existence of such facilities in the City and provides the City with revenue to offset the potential deleterious effects of the location of Medical Marijuana Cultivation facilities within the jurisdiction of the City.
- P. Enforcement
1. Recordings made by the security cameras shall be made available to the City Manager upon verbal request; no search warrant or subpoena shall be needed to view the recorded materials;
  2. The City Manager, or the City Manager's designee, shall have the right to enter the Indoor Medical Marijuana Cultivation facility from time to time unannounced for the purpose of making reasonable inspections to observe and enforce compliance with

this Section and all laws of the City and State of California;

3. Operation of the cultivation facility in non-compliance with any conditions of approval or standards of this Section shall constitute a violation of the Municipal Code and shall be enforced pursuant to the provisions of this Code;
4. The City Manager may revoke a Medical Marijuana Cultivation Permit if any of the following, singularly or in combination, occur:
  - (a) The City Manager determines that the Indoor Medical Marijuana Cultivation facility has failed to comply with this Section, any condition or approval, or any agreement or covenant as required pursuant to this Section;
  - (b) Operations cease for more than 90 calendar days, including during change of ownership proceedings;
  - (c) Ownership of the Medical Marijuana Cultivation facility is changed or transferred to third party;
  - (d) The Indoor Medical Marijuana Cultivation facility fails to maintain 120 hours of security recordings; or
  - (e) The Indoor Medical Marijuana Cultivation facility fails to allow inspection of the security recordings, the activity logs, or of the premise by authorized City officials.
5. Any decision regarding the revocation of a Medical Marijuana Cultivation Permit may be appealed to an independent neutral, third party, appointed by the City Manager (the "Neutral"). Said appeal shall be made by a notice of appeal from the person appealing within thirty (30) days from the date of the decision. The appeal shall be accompanied by a fee, which shall be established by resolution of the City Council amended from time to time, and a written, verified declaration setting forth the basis for the claim that the Permit was improperly

approved, denied, conditioned or revoked. The appeal decision rendered by the Neutral shall be binding upon the City and the appellant.

- Q. Any and all permits, rights or entitlements permitting the operation of a Medical Marijuana Cultivation facility shall expire and be null and void twelve (12) months after issuance to each respective Permittee, unless otherwise extended by the City Manager. Unless extended, upon the conclusion of the twelve (12) month time period, Medical Marijuana Cultivation facilities for the expired Permittee shall be a prohibited use and any rights obtained pursuant to this Section or any other rules or agreements shall cease as to the respective Permittee.
- R. Medical Marijuana Cultivation Permit issued pursuant to this Section is not transferable to a third party by the applicant, under any circumstances.
- S. Oversight Committee. The City shall create an Oversight Committee to oversee activities of the Permittee(s) to ensure that all applicable local, state, and federal laws are in compliance, and to assure that all restrictive covenants of this Ordinance are enforced, and that no illegal activity is conducted on the premises. The City's Oversight Committee shall have full authority to review all proposed applications, applicants, business proposals, financial resources, merit and overall business plan when deciding to which entities will receive the proposed Permit as outlined herein. The Oversight Committee shall be appointed by the City Council and shall consist of five (5) total members with one (1) member from code enforcement, one (1) member from planning, and three (3) at-large appointments. The City's Oversight Committee shall be assembled and shall take effect on or after January 1, 2016.

**17.80.090 Research, Development and Processing of Medical Marijuana**

- (a) The City intends to be on the forefront in the field of medical cannabis, research, development and processing thereof. The City seeks to be on the cutting-edge of the regulation, manufacturing and processing of medical marijuana through the issuance of a Processing Permit to qualified applicants. In order to further establish and regulate quality and safety standards for the future regulation of medical marijuana processing, the City may approve qualified applicants for a Processing Permit as follows:

- (1) The purpose and intent of this Section is to regulate the processing and manufacturing of medical marijuana that is grown in accordance with State law in order to promote the health, safety, morals, and general welfare of the residents and businesses within the City.
  - A. “Processing Permit” means a permit to own, operate and manage a Medical Marijuana facility for the purposes of research development and processing of commercially available Cannabis infused edibles and vaporizable products.
- (2) Marijuana Processing Standards. Medical Marijuana Processing, within the City, shall be in conformance with the following standards:
  - A. Medical Marijuana Processing shall only be considered upon application and approval of a Marijuana Processing Permit in accordance with the criteria and process set forth in this section.
  - B. Marijuana Processing is a conditionally permitted use only on property within the Manufacturing/Industrial (MI) zoning designation in the Industrial Park (the “Cultivation Zone”). No Medical Marijuana Processing shall be established, developed, or operated within two thousand five hundred (2,500) feet of a school, public playground or park, child care or day care facility, youth center, or church. All distances shall be measured in a straight line, without regard to intervening structures, from the nearest point of the building or structure in which the Medical Marijuana Processing facility is, or will be located, to the nearest property line of those uses described in this Subsection.
  - C. Medical Marijuana Processing is allowed only within fully enclosed and secure structures inaccessible to minors.
  - D. Medical Marijuana Processing shall not exceed the square footage authorized pursuant to the Conditional Use Permit.
  - E. From a public right-of-way, there shall be no exterior evidence of Medical Marijuana Processing.
  - F. Medical Marijuana Processing shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products or wastes.

- G. The number of Medical Marijuana processing Permits shall be limited to those that may be reasonably accommodated within the Cultivation Zone, as defined in B, above.
- H. The Medical Marijuana Processing facility shall comply fully with all of the applicable restrictions and mandates set forth in state law, including without limitation the Attorney General Guidelines. The Medical Marijuana Processing facility shall comply with all size requirements for such facilities imposed by State law. The Medical Marijuana Processing facility shall not engage in any activities not allowed at processing facilities pursuant to State law. The Medical Marijuana Processing facility shall comply with all manufacturing, labeling, processing, and other standards required by State law.
- I. There is no set restriction on the hours of operation of a Medical Marijuana Processing facility; however these restrictions, and others, may be established as a condition of approval of the Conditional Use Permit.
- J. Marijuana shall be kept in a secured manner during business and nonbusiness hours.
- K. All Medical Marijuana Processing facilities shall operate within a legal structure compliant with all applicable laws of the State of California.
- L. Any Medical Marijuana Processing facility must pay any applicable sales tax pursuant to federal, state, and local law. The facility shall be established as a “point of sale” within the City for sales tax purposes.
- M. On-site smoking, ingestion, or consumption of marijuana or alcohol shall be prohibited on the premises of the Medical Marijuana Processing facility. The term "premises" as used in this Subsection includes the actual building, as well as any accessory structures and parking areas. The building entrance to a Medical Marijuana Processing facility shall be clearly and legibly posted with a notice indicating that smoking, ingesting, or consuming marijuana on the premises or in the vicinity of the facility is prohibited.

- N. Signage for the Medical Marijuana Processing facility shall be limited to name of business only and in compliance with the City's sign code, and no advertising of companies, brands, products, goods and/or services shall be permitted. Signage shall not include any drug-related symbols.
- O. Alcoholic beverages shall not be sold, stored, distributed, or consumed on the premises. A Medical Marijuana Processing facility shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages. In addition, alcohol shall not be provided, stored, kept, located, sold, dispensed, or used on the premises of the Medical Marijuana Processing facility.
- P. Physician services shall not be provided on the premises. "Physician services" includes, but is not limited to, social services, including counseling, help with housing and meals, hospice and other care referrals which may not be provided on site.
- Q. The building in which the Medical Marijuana Processing facility is located as well as the operations as conducted therein shall fully comply with all applicable rules, regulations, and laws including, but not limited to, zoning and building codes, the City's business license ordinances, the Revenue and Taxation Code, the Americans with Disabilities Act, and the Compassionate Use Act. Compliance with all requirements of state law pertaining to processing/manufacturing of marijuana as such state laws are amended is also required.
- R. The Medical Marijuana Processing facility shall not distribute, sell, dispense, or administer marijuana out of its facility to the public. A Medical Marijuana Processing facility shall not be operated as a medical marijuana dispensary.
- S. The operator of the facility shall provide the City Manager with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom one can provide notice if there are operating problems associated with the Medical Marijuana Processing facility. The Medical Marijuana Processing facility shall make every good faith effort to encourage residents to call this person to try to solve

operating problems, if any, before any calls or complaints are made to the police or planning departments.

- T. Any and all Permits permitting the operation of a Medical Marijuana Processing facility shall expire and be null and void twelve (12) months after issuance to the Permittee, unless otherwise extended by the City Manager, in writing.
- U. Permittee shall account for job creation in the City and shall commit to employing a workforce that resides in the City. A minimum of fifty percent (50%) of all employees employed by the Permittee at the processing facility, pursuant to this Permit, shall be residents of the City. Permittee shall use good faith efforts to comply with this subsection.
- V. A Medical Marijuana Processing facility may be located within the same building or structure as a Medical Marijuana Cultivation facility, only if the Medical Marijuana Processing facility is located in separate room(s) of the facility, and only if the Medical Processing facility has its own, separate entrance.
- W. A Medical Marijuana Processing facility must employ full time quality control personnel. For any edible products, the Permittee must establish Standard Operating Procedures and Batch Records that comply with current Good Manufacturing Practices for food products, as outlined by the California Department of Public Health and the Food and Drug Administration.
- X. All finished products produced by a Medical Marijuana Processing facility must be labeled in compliance with the labeling requirements outlined by the California Department of Public Health, as well as comply with any applicable Marijuana specific labeling requirements established by California Medical Marijuana statutes or codes.
- Y. All finished products produced by a Medical Marijuana Processing Facility must be packaged in child resistant containers, prior to becoming commercially available and, therefore, leaving the facility.
- Z. All batches of final product must be tested by a third party laboratory for potency of cannabinoids, residual solvents, mold, pesticides, and any other contaminants as may be

outlined in California Medical Marijuana statues or codes. In the event that the State of California requires testing by a State certified laboratory, the Permittee shall comply with such regulation.

- AA. A Medical Marijuana Processing facility may only use solvents, which have been approved by the Food and Drug Administration for the processing or preparation of botanical, dietary supplements or food grade products.
- BB. All processing or analytical testing devices used in a Medical Marijuana Processing facility must be UL listed, or otherwise approved for the intended use by the local Building Department and/or Fire Department. Any processing devices using only non-pressurized water are exempt from such approval.
- CC. Any processing device used in a Medical Marijuana Processing facility, which utilized hydrocarbons or otherwise flammable solvents, must operate in a closed loop or in such a way that all solvent material is recovered in the process. All hazardous material must be disposed of in a manner which is compliant with all local, state, and federal guidelines for the disposal of hazardous materials.

## Appendix A: Regulation of Uses by Zoning District

### KEY:

P = Use permitted by right with Location and Development Plan Approval (subject to all local, State, and other applicable Code requirements)

C = Use requires Conditional Use Permit (Chapter 17.30 Adelanto Zoning Code)

Cm = Use Requires a Minor Conditional Use Permit (Chapter 17.30 Adelanto Zoning Code)

A = Use permitted as accessory use only (when such use is directly related to the primary use)

T = Use permitted as temporary use only (see Chapter 17.75)

Residential Zoning Districts:	Commercial and Mixed Use Zoning Districts:	Business Park and Manufacturing Zoning Districts	Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts
DL-9 = Desert Living 1 unit/9 acres	C = General Commercial	LM = Light Manufacturing	PU=Public Utility
DL-5 = Desert Living 1 unit/5 acres	MU = Mixed Use	MI = Manufacturing Industrial	PF = Public Facility
DL-2.5 = Desert Living 1 unit/2.5 acres		ADD = Airport Development District	OS = Open Space
R-S1 = Single Family Residential		BP = Business Park	DE = Greenbelt Corridor: Drainage Easement
R1-.5 = Single Family Residential (1/2 Acre)			UE = Greenbelt Corridor: Utility Easement
R1 = Single Family Residential			
R-S5 = Single Family Residential			
R3-8 = Medium Density Residential			
R-M12 = Medium Density Residential			

Residential R3-30 =  
High Density  
Residential  
AP = Airport Park

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
<b>AGRICULTURAL PRODUCTION and ANIMAL SERVICES<sup>7</sup></b>																				
Animal Keeping (subject to provisions of Title 7- Animals) <sup>11</sup>	A	A	A	A	A	A	A	A	A											
Animal Shelter (on lots greater than 2.5 acres only)									Cm			C	C	C	C					
Feed and Grain Sales	C										P	P	P							
Horses (Boarding and Raising as a Business), Kennels (subject to provisions of Title 7- Animals on lots greater than 2.5 acres only)	C																			
Taxidermist												P	P	P						
Veterinarian/Veterinary Hospital/Pet Grooming	C									P	P	P	P	P	P					
Medical Marijuana Cultivation <sup>12</sup>													C							
Medical Marijuana Research Development and Processing <sup>12</sup>													C							
<b>RESIDENTIAL</b>																				
Bed and Breakfast	P					P	P		P	P	P									
Dwelling Unit, Multiple Family, Two-Family (Duplex), Condominium						P	P	P		P										
Dwelling Unit, Single-Family (detached)	P	P	P	P	P		P		P									P		
Dwelling Unit - Second Units/Dependent Housing/Granny Flats	P	P	P	P	P	P	P		P											
Day Care Center, Adult Day Health and Child Care (Subject to California Department of Social Services:	C		C		C	C	C	C		C	C				C	C	C			
Day Care Home, Large Family (14 or fewer children), (Subject to California	C	C	C	C	C	C	C	C												

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
Department of Social Services)																				
Day Care Home, Small Family (8 or fewer children) (Subject to California Department of Social Services)	P	P	P	P	P	P	P	P		C										
Group Homes not licensed by the State with 2 or more residents	C	C	C	C	C															
Single Room Occupancy Facilities	P	P	P	P	P	P	P	P		P										
Transitional and Supportive Housing	P	P	P	P	P	P	P	P		P										
Emergency and Homeless Shelters	P											C	C	C						
Residential Care Facility (7 or more persons)	C	C	C	C	C	C	C													
Residential Care Facility for 6 or fewer persons (includes facilities licensed and/or controlled by California Department of Social Services)	P	P	P	P	P	P	P	P												
Home Occupation (Use allowed subject to Chapter 17.95)	A	A	A	A	A	A	A	A	A	A										
Fraternal/Sorority Hall, Rooming										P	P	C	C							
Manufactured Home, Mobile Home (includes individual unit placed in a residential subdivision)	P	P	P	P	P				P											
Manufactured/Mobile Home Parks	C																			
Mobile Homes Sales											P	P								
Model Home	T	T	T	T	T	T	T	T												
Game Courts (Badminton/Tennis/Racquetball/Other) and Swimming Pool, Private	A	A	A	A	A	A	A	A												
<b>INSTITUTIONAL</b>																				
<b>Educational</b>																				

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
Education Institution (including private, commercial, and vocational schools, **card room related training only)									C1	C	C	C	C		P					
Education Institution, Public (Subject to LDP approval)	P	P	P	P	P	P	P				P	P			P	P	P			
Prisons/Correctional Facilities												C	C		C					
<b>Medical</b>																				
Chiropractic/Physical Therapy Office										P	P	P			P					
Hospitals and Clinics										P	C	C		C	P	C	C			
Medical/Dental Offices										P	P	P	P	P	P					
Laboratories, Medical and Dental											C	P	P	P	P					
Pharmacy (see also Drugstore) <sup>2, 9</sup>										P	P	P			P					
Convalescent Hospital, Skilled Nursing Facility	C	C	C	C	C	C	C	C			P									
<b>Public</b>																				
Conference or Convention Centers										P		C	C	C	C	P	C			
Parks, Plazas and Trails	P	P	P	P	P	P	P			P					P		P	P	P	P
Visitor Centers										P	P									
<b>Religious/Non-Profit</b>																				
Churches, Temples, other religious institutions, non-profits (except administrative offices- see Offices). In residential zones, vehicular access shall be only from major arterial or major collector as designated in the General Plan Circulation Element.	C	C	C	C	C	C	C	C		C	P	P		C	C	C	C			
<b>COMMERCIAL</b>																				
<b>Alcoholic Beverage Establishments</b>																				

LAND USE	ZONE DISTRICT																				
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts					
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE	
Alcoholic Beverage Onsite Sales in establishments open to persons over the legal drinking age exclusively, not allowed within 1,000 feet of any residential zoning district or residential use, churches, parks, and/or educational institutions <sup>3</sup>										C											
Alcoholic Beverage Onsite Sales in establishments open to persons over the legal drinking age exclusively, more than 1,000 feet from any residential zoning district or residential use, churches, parks, and/or educational institutions <sup>3</sup>										C	C	C	C	C	C	C					
Alcoholic Beverage Onsite Sales as part of a bona fide sit down (non-age-restricted) restaurant <sup>3</sup>										P	P	P	P	P	P	P					
Alcoholic Beverage Offsite Sales within a supermarket or drug store <sup>2,3,9</sup>										P	P	P	P	P	P	P					
Alcoholic Beverage Offsite Sales in any store other than a supermarket or drug store <sup>2,3,9</sup>										C	C	C	C	C	C	C					
Wineries <sup>3</sup>	C											P	P	P							
<b>Automobile, Vehicle Rentals and Sales Related Uses</b>																					
Automobile Auction												C	C	C							
Automobiles/Recreational Vehicles/Boats/Motorcycles/Trucks <sup>4</sup> , Sales- New & Used, and Rentals											P	P	P	P							
Service Station/Gas Station (Petroleum Products), including automobile service and Car Wash <sup>4,9</sup>											C	P	P	P							
Parking Lot and Parking Garages, Public <sup>4</sup>										C	P	P	P	P	C						

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
<b>Automobile, Vehicle Service and Repair</b>																				
Automobile Accessory Sales and Installation, including parts supply (No overnight outside storage or parking; body work prohibited) <sup>4,6</sup>												P	P	P	P					
Automobile Service (Lubrication, Tune-ups, emission tests, batteries, mufflers, etc. No use of impact wrenches or other equipment that could create noise impacts; No overnight outside storage or parking; Paint, body work, upholstery prohibited) <sup>4,6</sup>												C	P	P	P					
Automobile Minor Repair (Brakes, tires, radiators, electrical, etc. No overnight outside storage or parking; Paint, body work, upholstery prohibited) <sup>4,6l</sup>												C	P	P	P					
Automobile Paint, Body, and Upholstery Shops <sup>4,6</sup>													C	C	C					
<b>Communications/Utilities Distribution and Transmission</b>																				
Cellular, Microwave Antenna/Towers and related equipment buildings <sup>8</sup>										C	C	C	C	C	C	C	C	C		C
Gas Distribution, Meter, and Control Station													P	P	P			P		C
Electricity Distribution & Transmission Substation (<5,000 SF)	C	C	C	C	C	C	C	C	C			P	P	P	P		P	P	C	C
Electricity Distribution & Transmission Substation (>5,000 SF)												C	C	C	C			C	C	C
Power Generating Facilities, Solar Energy and/or Wind Energy Conversion Systems >500 Kw <sup>10</sup>													C	C	C				C	C
Solar Energy and/or Wind Energy Conversion Systems <500 Kw						Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	C	Cm

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
Solar Energy and/or Wind Energy Conversion Systems <25 Kw	P	P	P	P	P	P	P	P	P	P								C		
Radio/Television Broadcasting Studios (including Recording Studios)										P	P	P	P	P	P	A	A			
Telephone Repeater Stations	C	C	C	C	C	C	C	C		C	P	P	P	C	C	P	C			C
<b>Eating and Drinking Establishments</b>																				
Bakery, Coffeehouse, Delicatessen, Ice Cream Parlor, and other similar eating establishments <sup>2</sup>									C	P	P	P	P	P	P	P				
Catering Service									C	P	P	P	P	P	P					
Nightclubs/Taverns/Bars <sup>3,9</sup>										C	C	C			C					
Restaurant, No Alcohol Sales									C	P	P	P	P	P	P		P			
Restaurant, Drive-Thru <sup>2</sup> , no alcohol sales									C		C	C	C	C						
Restaurant, with Alcohol Sales <sup>3</sup>	See " Alcoholic Beverage Onsite Sales"																			
<b>Entertainment/Recreation</b>																				
Adult Business (subject to Adult Business Ordinance)													C							
Amusement Park, Entertainment Center (including Arcade, Live Theater, Bowling, Ice and Roller Skating, Indoor Soccer and Hockey Arena)										C	C	C	C			C				
Billiard/Pool Hall <sup>9</sup>										C	C	C		C						
Batting Cages, Indoor or Outdoor											P	P	P	P		P				
Card Rooms <sup>9</sup>										C	C									
Carnival, Circus, or Fair										T	T	T	T	T		T	T			
Club - Athletic, Health, or Recreation (including Dance Studios)										P	P	P	P	P	P	P				
Dance Hall/Dance Club										C	C	C	C	C						

LAND USE	ZONE DISTRICT																				
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts					
	DL (9, 5, 2.5)	R-S1	R1-5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE	
Game Courts, Commercial										P	P	P	P	P	P	P	P				C
Golf Course and Driving Range, Clubhouse, Country Club	C	C	C	C	C	C	C				C	C		C			C				C
Movie Theater										P	P										
Shooting Range, Indoor and Outdoor (outdoor ranges prohibited in the C and OS)											C	C	C				C				C
Stable, Public (Boarding/Riding) and Private - Boarding allowed as accessory use in DL	P								A								C				C
<b>Food and Beverage Stores</b>																					
Convenience Market, Health Food Store <sup>2,3,9</sup>									C	P	P	P				P					
Drug store <sup>2,3,9</sup>										P	P	P									
Grocery Store, Retail, Discount, and Club Stores <sup>2,3,9</sup>										P	P	P	P	P							
<b>General Merchandise Stores</b>																					
Department Store, Specialty Stores										P	P										
Discount Stores, Home Improvement Center										P	P	P									
<b>Lodging</b>																					
Hotel, Motel *(more than 50 rooms requires a CUP)										P	P*	P				P					
Recreational Vehicle Park and Campgrounds												C	C								C
<b>Offices</b>																					
Administrative, Professional, and Other Related Offices										P	P	P	A	A	P	A					
Financial Institutions (Banks, Credit Unions, Check Cashing, Pay Advance,										P	P	P	P	P	P						

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
Money Transfer, etc.) <sup>2</sup>																				
<b>Business Services</b>																				
Copy Services, Postal Services, and Parcel Delivery Service										P	P	P	P	P	P					
<b>Personal Services<sup>7</sup></b>																				
Barber/Beauty Shop/Cosmetologist/Massage Parlor/Acupuncturist										P	P	P								
Cemetery/Mausoleums	C																			C
Dressmaker/Tailor Shop										P	P	P			P					
Dry Cleaner (Storefront Type); Laundry Service <sup>2</sup>										P	P	P		P	P					
Funeral Parlor, Mortuary										C	C	P		P						
<b>Repair and Maintenance Services<sup>7</sup></b>																				
Shoe and Watch Repair/Sales, Locksmith										P	P	P	P	P	P		A			
Janitorial Service, Pest Control Service										P	P	P	P	P	P					
<b>Retail<sup>7</sup></b>																				
Temporary Uses and Structures (Subject to Section 17.75)	T									T	T	T	T	T	T	T	T			
General Retail Sales (including the following: Antiques, Appliance Sales/Repairs; Art Gallery/Supplies; Books/Music; Clothing/Accessories; Costumes; Coins/Collectables; Food Products; Glass Shops/Studios; Hardware; Hobby, Gift, and Floral Shops; Home Improvement Goods/Home Furnishings; Medical Supplies; Newsstands; Nursery/Garden									C <sup>1</sup>	P	P	P	P	P	C	A				

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
Equipment; Office Equipment/Supplies; Pet Shop; Photography Studio/Photofinishing; Sporting Goods; Toy Stores <sup>9</sup>																				
Pawnshop, Secondhand Store										P	P	P								
<b>INDUSTRIAL<sup>7</sup></b>																				
Ambulance Service												P	P							
Printing, Publishing, Bookbinding (including Lithographic and Newspaper Printing)										P		P	P	P	P					
Recreational Vehicle Repair, Supplies									C <sup>1</sup>			P	P	P						
Laboratories, Chemical, Research, and Testing												C	C	C	C					
Machine/Sheet Metal Shop, Metal Engraving, Silk Screen Shop									C <sup>1</sup>	C		P	P	P	P					
Industrial/Heavy Equipment, Sales, Service, and Rental (including, but not limited to Construction Equipment; Refrigeration; Vending Machines)												C	P	P						
Junk, Salvage, Vehicle Wrecking, and Impound Yard													C	C						
Outdoor Storage, as a Primary use												C	C	C						
Recycling Facilities, Commercial												C	C	C						
Recycling Facilities, Public (collection only)											P	C	C	C			C			
Sanitary Landfill, Waste Haulers, Material Recovery Facility													C							
Sewage Treatment Plant													P	P			C			C
Upholstery Shop, Welding Shop									C <sup>1</sup>			P	P	P						

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
<b>Construction<sup>7</sup></b>																				
Building Materials/Lumber/Plumbing Supply Yard												P	P	P						
Construction Office (on the same site as the construction activity)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			
Contractor Storage Yard, Machinery Storage Yard			T									C	C	C						
Horticultural (Landscape and Gardening) Services	C									P	P	P	P	P						
<b>Manufacture and Wholesale<sup>7</sup></b>																				
Assembly, Manufacturing (Including food and beverage production and processing), Restoration of Goods; Except Tires									C <sup>1</sup>			P	P	P	C					
Batch plants, aggregate products and other similar manufacturing uses													C	C						
Dry Cleaning Plant, Large-Scale Commercial Type												P	P	P						
Oil Exploration, Drilling, and Production (Limited to areas w/minimum lot size)														C						
Sand and Gravel Pit, subject to Surface Materials and Reclamation Act (SMARA)													C	C						
Swap Meet <sup>9</sup>										T	T	C	C	C		T	T			
Wholesale Businesses (Including Electrical, Mechanical, Carpentry, Cabinetry)									C <sup>1</sup>	C		P	P	P	C					
<b>Warehouse/Distribution/Storage/Transportation<sup>7</sup></b>																				
Transfer, Moving, and Storage												C	C	C						
Truck Terminals (includes Freight to Freight, Cross Dock, Parcel Delivery)													C	C						

LAND USE	ZONE DISTRICT																			
	Residential									Commercial and Mixed Use		Business and Manufacturing				Public Facility, Public Utility, Open Space, Public Land and Schools and Greenbelt Corridors Districts				
	DL (9, 5, 2.5)	R-S1	R1-.5	R1	R-S5	R3-8	R-M12	R3-30	AP	MU	C	LM	MI	ADD	BP	PU	PF	OS	DE	UE
Terminals), Truck Parking																				
Truck and Trailer (and similar heavy transportation equipment) Sales, Repair (all repair to be conducted entirely within an enclosed building) <sup>5</sup>									C <sup>1</sup>			C	C	C						
Mini-Warehouse/Storage Facilities/Recreational Vehicle Storage (in AP zone - Aviation hangar less than 10,000 square feet is a permitted use, over 10,000 square feet requires a CUP), may include one (1) caretaker unit.									C <sup>1</sup>			C	C	C						
Warehouse/Distribution, Cold Storage (in AP zone - Aviation hangar less than 10,000 square feet is a permitted use, over 10,000 square feet requires a CUP)									C <sup>1</sup>			P	P	P	C					

**Note:** Uses not shown above as Permitted, Conditionally Permitted, Accessory, or Temporary are prohibited in the zoning district as determined by the Director of Planning or their designee.

Footnotes:

1. Aviation/Aircraft related uses only in the AP zone
2. Drive-thru requires Conditional Use Permit (CUP). A minor Conditional Use Permit (CUPm) may be allowed under certain circumstances, see [Chapter 17.25](#).
3. Use allowed subject to [Chapter 17.25](#).
4. Light duty trucks, less than 2 ton carrying capacity.
5. Heavy duty trucks, greater than 2 tons carrying capacity.
6. All uses shall be conducted in a fully enclosed building.
7. Sales, storage, or use, of any materials classified as toxic or hazardous by either the federal or state government as a substantial part of the total use shall require a CUP, as shall the parking or storage of vehicles used to carry such materials.
8. Co-location and wall antennas require LDPm/CUPm when placed on existing structures per Code, all other proposals require review and approval of an LDP/CUP.
9. No tobacco retailer shall be permitted to sell, donate, distribute, or deliver to any person(s) tobacco products within 1,000 feet of any playground, church, public library, school, or any childcare facility or similar entity providing structured, organized care for youth; see Section [17.80.040](#).
10. Power Generating Facilities, Solar Energy and/or Wind Energy Conversion Systems >500 Kw are allowed in all zones west of Richardson Road and/or north of Calleja Avenue with approval of a LDP/CUP.
11. Until referenced to R3-30 is included in Title 7 of the Municipal Code, Animal Keeping shall be allowed in the R3-30- district the same as is allowed in the R3-8 district.
12. Only allowed in the Industrial Parks.

## RESOLUTION NO. P-16-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, FINDING THE APPROVAL OF CODE AMENDMENT 16-02 EXEMPT PURSUANT TO SECTION 15061 (B) (3) REVIEW FOR EXEMPTIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AS THE CODE AMENDMENT WILL NOT CAUSE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND RECOMMENDING TO THE CITY COUNCIL DENIAL OF CODE AMENDMENT 16-02 TO AMEND TITLE 17, ADDING SECTION 17.80.090, AMENDING THE TABLE OF CONTENTS AND APPENDIX A OF THE ADELANTO MUNICIPAL CODE RELATING TO MEDICAL MARIJUANA RESEARCH DEVELOPMENT AND PROCESSING.

WHEREAS, the City of Adelanto adopted, Title 17 as part of the City of Adelanto Municipal Code establishing among other things the regulation of Land Uses; and

WHEREAS, a duly noticed public hearing was held before the Planning Commission on the 29<sup>th</sup> day of March, 2016; to hear public testimony and consider the proposal; and

WHEREAS, the City has complied with the California Environmental Quality Act.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF ADELANTO HEREBY RESOLVES AS FOLLOWS:

Section 1. The above recitals are all true and correct.

Section 2. The Planning Commission has reviewed and considered the information included in the General Plan, staff reports for the public hearing, and public testimony prior to taking action on the proposed Code Amendment. This information is on file and available at the Community Development Department at the City Hall of the City of Adelanto.

Section 3. The Planning Commission finds and determines that the adoption of Code Amendment 16-02 exempt pursuant to Section 15061 (b) (3) Review for Exemptions of the California Environmental Quality Act because the Code Amendment will not cause a significant effect on the environment and the Planning Commission determinations reflect the independent judgment of the Planning Commission.

Section 4. The Planning Commission hereby further finds and determines that the City has followed the procedures for Ordinance Amendments as set forth in the California Government Code.

Section 5. The Planning Commission hereby finds and determines:

- a) That the proposed amendment is in the public interest, and that there will be a community benefit resulting from the amendment;

This finding is not met. Although, the amendment is in compliance with State Law and benefits Medical Marijuana patients, it is not in the public interest and will not result in a community benefit.

- b) That the proposed amendment is consistent with the goals, policies, and objectives of the General Plan.

The amendment benefits the community which is consistent with the General Plan.

- c) That the proposed amendment will not conflict with provisions of the Zoning Code, subdivision regulations, or any applicable specific plan; and

The proposed amendment is consistent with the Zoning Code, subdivision regulations and any specific plan.

- d) In the event that the proposed amendment is a change to the land use policy map that the amendment will not adversely affect surrounding properties.

The proposed amendment is not a change to the land use policy map.

Section 6. The Planning Commission of the City of Adelanto hereby recommends to the City Council denial of Code Amendment 16-02.

Attachments:

Draft Ordinance 545  
Draft Table of Contents  
Draft Special Use Standards  
Draft Appendix A

PASSED, DENIED AND ADOPTED this 29<sup>th</sup> day of March, 2016.

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Chris Waggener  
Chairman to the Planning Commission

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Virginia Cervantes  
Secretary to the Planning Commission

I, Virginia Cervantes, Planning Secretary for the Planning Commission of the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-08 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 29<sup>th</sup> day of March, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 29<sup>th</sup> day of March, 2016.

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Virginia Cervantes  
Secretary to the Planning Commission